

LAWS 2008, CONSTITUTIONAL AMENDMENT 3

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 5 OF THE CONSTITUTION OF NEW MEXICO TO REQUIRE CONFIRMATION OF CABINET SECRETARIES AT THE BEGINNING OF EACH TERM OF A GOVERNOR.

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

Constitutional Amendment 3 Section 1 Laws 2008

Section 1. It is proposed to amend Article 5 of the constitution of New Mexico by adding a new section to read:

"The heads of all cabinet-level departments or agencies whose appointment is subject to confirmation by the senate shall be subject to confirmation or reconfirmation by the senate at the beginning of each term of a governor."

Constitutional Amendment 3 Section 2 Laws 2008

Section 2. The amendment proposed by this resolution shall be submitted to the people for their approval or

rejection at the next general election or at any special election prior to that date that may be called for that purpose.

Senate Joint Resolution 1

Laws of 2008

LAWS 2008, CONSTITUTIONAL AMENDMENT 4

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLE 7, SECTION 1 OF THE CONSTITUTION OF NEW MEXICO TO ALLOW SCHOOL ELECTIONS TO BE HELD AT THE SAME TIME AS NON-PARTISAN ELECTIONS.

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

Constitutional Amendment 4 Section 1 Laws 2008

Section 1. It is proposed to amend Article 7, Section 1 of the constitution of New Mexico to read:

"Every citizen of the United States, who is over the age of twenty-one years, and has resided in New Mexico twelve months, in the county ninety days, and in the precinct in which the person offers to vote thirty days, next preceding the election, except idiots, insane persons and persons convicted of a felonious or infamous crime unless restored to political rights, shall be qualified to vote at all elections for public officers. The legislature may enact laws providing for absentee voting by qualified electors. All school elections shall be held at different times from partisan elections.

The legislature shall have the power to require the registration of the qualified electors as a requisite for voting and shall regulate the manner, time and places of voting. The legislature shall enact such laws as will secure the secrecy of the ballot and the purity of elections and guard against the abuse of elective franchise. Not more than two members of the board of registration and not more than two judges of election shall belong to the same political party at the time of their appointment."

Constitutional Amendment 4 Section 2 Laws 2008

Section 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

Senate Joint Resolution 4, as amended

LAWS 2008, CONSTITUTIONAL AMENDMENT 5

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 5 OF THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT, IN THE CASE OF A VACANCY IN THE OFFICE OF LIEUTENANT GOVERNOR, THE GOVERNOR SHALL FILL THE VACANCY BY APPOINTMENT WITH THE CONSENT OF THE SENATE.

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

Constitutional Amendment 5 Section 1 Laws 2008

Section 1. It is proposed to amend Article 5 of the constitution of New Mexico by adding a new section to read:

"Whenever there is a vacancy in the office of the lieutenant governor, the governor shall nominate a lieutenant governor who shall take office upon confirmation by a majority vote of all members elected to the senate and shall serve the remainder of the unexpired term."

Constitutional Amendment 5 Section 2 Laws 2008

Section 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that

purpose.

Senate Joint Resolution 8, as amended

LAWS 2008, CHAPTER 1

AN ACT

RELATING TO THE LEGISLATIVE BRANCH OF GOVERNMENT; APPROPRIATING FUNDS FOR THE EXPENSE OF THE FORTY-EIGHTH LEGISLATURE, SECOND SESSION, 2008 AND FOR OTHER LEGISLATIVE EXPENSES, INCLUDING THE LEGISLATIVE COUNCIL SERVICE, THE LEGISLATIVE FINANCE COMMITTEE, THE LEGISLATIVE EDUCATION STUDY COMMITTEE, THE SENATE RULES COMMITTEE, THE HOUSE CHIEF CLERK'S OFFICE AND THE SENATE CHIEF CLERK'S OFFICE; DECLARING AN EMERGENCY.

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

Chapter 1 Section 1 Laws 2008

Section 1. SESSION EXPENSES.--

A. There is appropriated from the general fund for the expense of the legislative department of the state of New Mexico for the second session of the forty-eighth legislature for per diem and mileage of its members, for salaries of employees and for other expenses of the legislature, four million nine hundred sixty-nine thousand nine hundred dollars (\$4,969,900) or so much thereof as may be necessary for such purposes.

B. The expenditures referred to in Subsection A of this section are as follows:

(1) per diem for senators \$ 181,440;

(2) per diem for members of the house of representatives
..... \$ 302,400;

(3) mileage traveled by members of the senate going to and
returning from the seat of government by the usually traveled route, one round trip. . . .
..... \$ 6,431;

(4) mileage traveled by members of the house of representatives
going to and returning from the seat of government by the usually traveled route, one
round trip \$ 9,300;

(5) salaries and employee benefits of senate employees
..... \$ 1,465,200;

(6) salaries and employee benefits of house of representatives
employees \$ 1,326,600;

(7) for expense of the senate not itemized above, three hundred
sixty-three thousand one hundred twenty- nine dollars (\$363,129). No part of this item
may be transferred to salaries or employee benefits;

(8) for expense of the house of representatives not itemized above,
four hundred thirty-nine thousand three hundred dollars (\$439,300). No part of this item
may be transferred to salaries or employee benefits; and

(9) for session expenses of the legislative council service, the joint
billroom and mailroom and joint legislative switchboard, eight hundred seventy-six
thousand one hundred dollars (\$876,100) to be disbursed upon vouchers signed by the
director of the legislative council service or the director's designee.

C. The expenditures for the senate shall be disbursed on vouchers signed
by the chair of the committees' committee and the chief clerk of the senate or the chief
clerk's designee. The expenditures for the house of representatives shall be disbursed
on vouchers signed by the speaker and chief clerk of the house or the chief clerk's
designee. Following adjournment of the session, expenditures authorized pursuant to
Paragraphs (1) through (8) of Subsection B of this section shall be disbursed upon
vouchers signed by the director of the legislative council service or the director's
designee.

D. Under the printing contracts entered into for the second session of the
forty-eighth legislature, the chair of the committees' committee of the senate, subject to
the approval of the committee, and the speaker of the house of representatives are
authorized and directed to provide for the printing of all bills, resolutions, joint
resolutions, memorials and joint memorials introduced in the senate or house, the

printing of the weekly bill locator and the printing of all necessary stationery required for use in the respective houses. They are further directed to provide for the purchase of all supplies necessary for use in the respective houses within the appropriation provided. The orders for printing, stationery and supplies shall be approved by the chair of the committees' committee in the senate or by the speaker of the house.

Chapter 1 Section 2 Laws 2008

Section 2. BILLS AND OTHER PRINTED MATERIALS.--

A. For the second session of the forty-eighth legislature, bills, resolutions, joint resolutions, memorials and joint memorials delivered to the printer shall be returned by the printer to the joint billroom within forty- two hours after they are ordered to be printed. The billroom personnel shall supply a complete file of bills, resolutions, joint resolutions, memorials, joint memorials and other printed distribution materials to the following:

(1) one copy to each member of the house of representatives and senate;

(2) one copy to each county clerk, district judge, radio or television station and newspaper and to the general library of each state-supported institution of higher learning; and

(3) upon written request, one copy to each state department, commission, board, institution or agency, each elected state official, each incorporated municipality, each district attorney, each ex-governor, each member of the New Mexico congressional delegation and each public school district in the state.

B. Any person not listed in Subsection A of this section may secure a complete file of the bills, resolutions, joint resolutions, memorials and joint memorials of the legislature by depositing with the legislative council service the amount of three hundred fifty dollars (\$350), which deposit shall be paid to the state treasurer to the credit of the legislative expense fund. Additional single copies of items of legislation shall be sold for two dollars (\$2.00) unless the director of the legislative council service shall, because of its length, assign a higher price not to exceed ten cents (\$.10) per page. Copies of a daily bill locator, other than those copies furnished each member of the respective houses, shall be supplied by the legislative council service at a charge of one hundred fifteen dollars (\$115) for the entire session.

Chapter 1 Section 3 Laws 2008

Section 3. LEGISLATIVE COUNCIL SERVICE.--There is appropriated from the general fund to the legislative council service for fiscal year 2009 unless otherwise indicated, to be disbursed on vouchers signed by the director of the legislative council service, the following:

A. Personal Services & Employee Benefits	\$ 4,578,200
Contractual Services	240,000
Other Costs	1,122,800
Total	\$ 5,941,000;

B. for travel expenses of legislators other than New Mexico legislative council members, on legislative council business, for committee travel, staff and other necessary expenses for other interim committees and for other necessary legislative expenses for fiscal year 2009, one million thirty-six thousand dollars (\$1,036,000); ~~[provided that the New Mexico legislative council may transfer amounts from the appropriation in this subsection, during the fiscal year for which appropriated, to any other legislative appropriation where they may be needed;]~~ *LINE-ITEM VETO*

C. for pre-session expenditures and for necessary contracts, supplies and personnel for interim session preparation, five hundred fifty-two thousand three hundred dollars (\$552,300); and

D. for a statewide legislative intern program, forty-five thousand dollars (\$45,000).

Chapter 1 Section 4 Laws 2008

Section 4. LEGISLATIVE FINANCE COMMITTEE.--There is appropriated from the general fund to the legislative finance committee for fiscal year 2009, to be disbursed on vouchers signed by the chair of the committee or the chair's designated representative, the following:

Personal Services & Employee Benefits	\$ 3,770,700
Contractual Services	216,600
Other Costs	359,200
Total	\$ 4,346,500.

Chapter 1 Section 5 Laws 2008

Section 5. LEGISLATIVE EDUCATION STUDY COMMITTEE.-- There is appropriated from the general fund to the legislative education study committee for fiscal year 2009, to be disbursed on vouchers signed by the chair of the committee or the chair's designated representative, the following:

Personal Services & Employee Benefits	\$ 1,060,500
Contractual Services	50,000
Other Costs	151,000
Total	\$ 1,261,500.

Chapter 1 Section 6 Laws 2008

Section 6. SENATE RULES COMMITTEE.--There is appropriated from the general fund to the legislative council service for the interim duties of the senate rules committee, twenty-one thousand six hundred dollars (\$21,600) for fiscal year 2009.

Chapter 1 Section 7 Laws 2008

Section 7. HOUSE CHIEF CLERK.--There is appropriated from the general fund to the legislative council service for expenditure in fiscal year 2009 for the operation of the house chief clerk's office, to be disbursed on vouchers signed by the director of the legislative council service, the following:

Personal Services & Employee Benefits	\$ 938,300
Contractual Services	141,600
Other Costs	66,200
Total	\$ 1,146,100.

Chapter 1 Section 8 Laws 2008

Section 8. SENATE CHIEF CLERK.--There is appropriated from the general fund to the legislative council service for expenditure in fiscal year 2009 for the operation of the senate chief clerk's office, to be disbursed on vouchers signed by the director of the legislative council service, the following:

Personal Services & Employee Benefits	\$ 946,600
Contractual Services	191,350
Other Costs	64,250
Total	\$1,202,200.

Chapter 1 Section 9 Laws 2008

Section 9. LEGISLATIVE INFORMATION SYSTEM.--There is appropriated from the general fund to the legislative council service for the legislative information system six hundred seventy-eight thousand three hundred dollars (\$678,300) for expenditure during fiscal years 2008 and 2009.

Chapter 1 Section 10 Laws 2008

Section 10. CENSUS REDISTRICTING DATA--SECOND PHASE.-- There is appropriated from the general fund to the legislative council service for the second phase of the 2010 census redistricting data program to perform such functions as are necessary to prepare for redistricting in 2010, two hundred fifty thousand dollars (\$250,000) for expenditure during fiscal years 2008 and 2009.

Chapter 1 Section 11 Laws 2008

Section 11. EXTENSIBLE MARKUP LANGUAGE DATABASE--

SELF-PUBLICATION.--There is appropriated from the legislative cash balances to the legislative council service for the legislative share of the continued development required for the extensible markup language database, extensible markup language tagging and its use for legislative document systems and an integrated tagged database of the session laws and for the costs associated in collaborating with the New Mexico compilation commission on the ongoing development and expanding partnership role with the New Mexico compilation commission in the self-publication of the New Mexico statutes annotated 1978, four hundred thousand dollars (\$400,000) for expenditure during fiscal years 2008 and 2009.

Chapter 1 Section 12 Laws 2008

~~[Section 12. CATEGORY TRANSFER.--Amounts set out in Sections 3, 4, 5, 7 and 8 of this act are provided for informational purposes only and may be freely transferred among categories.]~~LINE-ITEM VETO

Chapter 1 Section 13 Laws 2008

Section 13. PERFORMANCE MEASURES.--Each legislative agency shall adhere to the performance measures specified in its strategic plan and shall make reports as required in that plan.

Chapter 1 Section 14 Laws 2008

Section 14. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

House Bill 1, with emergency clause, partial veto

Approved January 18, 2008

LAWS 2008, CHAPTER 2

AN ACT

RELATING TO EMPLOYMENT LAW; AMENDING THE MINIMUM WAGE ACT; EXEMPTING EMPLOYEES OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE FROM CERTAIN PROVISIONS OF THE MINIMUM WAGE ACT; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007; DECLARING AN EMERGENCY.

Chapter 2 Section 1 Laws 2008

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

Section 1. Section 50-4-21 NMSA 1978 (being Laws 1955, Chapter 200, Section 2, as amended by Laws 2007, Chapter 46, Section 45 and by Laws 2007, Chapter 47, Section 1) is amended to read:

"50-4-21. DEFINITIONS.--As used in the Minimum Wage Act:

A. "employ" includes suffer or permit to work;

B. "employer" includes any individual, partnership, association, corporation, business trust, legal representative or any organized group of persons employing one or more employees at any one time, acting directly or indirectly in the interest of an employer in relation to an employee, but shall not include the United States, the state or any political subdivision of the state; provided, however, that for the purposes of Subsection A of Section 50-4-22 NMSA 1978, "employer" includes the state or any political subdivision of the state; and

C. "employee" includes an individual employed by an employer, but shall not include:

(1) an individual employed in domestic service in or about a private home;

(2) an individual employed in a bona fide executive, administrative or professional capacity and forepersons, superintendents and supervisors;

(3) an individual employed by the United States, the state or any political subdivision of the state; provided, however, that for the purposes of Subsection A of Section 50-4-22 NMSA 1978, "employee" includes an individual employed by the state or any political subdivision of the state;

(4) an individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis. The employer- employee relationship shall not be deemed to exist with respect to an individual being served for purposes of rehabilitation by a charitable or nonprofit organization, notwithstanding the payment to the individual of a stipend based upon the value of the work performed by the individual;

(5) salespersons or employees compensated upon piecework, flat rate schedules or commission basis;

(6) students regularly enrolled in primary or secondary schools working after school hours or on vacation;

(7) registered apprentices and learners otherwise provided by law;

(8) persons eighteen years of age or under who are not students in a primary, secondary, vocational or training school;

(9) persons eighteen years of age or under who are not graduates of a secondary school;

(10) G.I. bill trainees while under training;

(11) seasonal employees of an employer obtaining and holding a valid certificate issued annually by the director of the labor relations division of the workforce solutions department. The certificate shall state the job designations and total number of employees to be exempted. In approving or disapproving an application for a certificate of exemption, the director shall consider the following:

(a) whether such employment shall be at an educational, charitable or religious youth camp or retreat;

(b) that such employment will be of a temporary nature;

(c) that the individual will be furnished room and board in connection with such employment, or if the camp or retreat is a day camp or retreat, the individual will be furnished board in connection with such employment;

(d) the purposes for which the camp or retreat is operated;

(e) the job classifications for the positions to be exempted;

and

(f) any other factors that the director deems necessary to consider;

(12) any employee employed in agriculture:

(a) if the employee is employed by an employer who did not, during any calendar quarter during the preceding calendar year, use more than five hundred man-days of agricultural labor;

(b) if the employee is the parent, spouse, child or other member of the employer's immediate family; for the purpose of this subsection, the employer shall include the principal stockholder of a family corporation;

(c) if the employee: 1) is employed as a hand-harvest laborer and is paid on a piece-rate basis in an operation that has been, and is customarily and generally recognized as having been, paid on a piece-rate basis in the region of employment; 2) commutes daily from the employee's permanent residence to the farm on which the employee is so employed; and 3) has been employed in agriculture less than thirteen weeks during the preceding calendar year;

(d) if the employee, other than an employee described in Subparagraph (c) of this paragraph:

1) is sixteen years of age or under and is employed as a

hand-harvest laborer, is paid on a piece-rate basis in an operation that has been, and is generally recognized as having been, paid on a piece-rate basis in the region of employment; 2) is employed on the same farm as the employee's parent or person standing in the place of the parent; and 3) is paid at the same piece-rate as employees over age sixteen are paid on the same farm; or

(e) if the employee is principally engaged in the range production of livestock or in milk production;

(13) an employee engaged in the handling, drying, packing, packaging, processing, freezing or canning of any agricultural or horticultural commodity in its unmanufactured state; or

(14) employees of charitable, religious or nonprofit organizations who reside on the premises of group homes operated by such charitable, religious or nonprofit

organizations for persons who have a mental, emotional or developmental disability."

Chapter 2 Section 2 Laws 2008

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

Senate Bill 66, with emergency clause

Approved January 18, 2008

LAWS 2008, CHAPTER 3

AN ACT

MAKING GENERAL APPROPRIATIONS AND AUTHORIZING EXPENDITURES BY STATE AGENCIES REQUIRED BY LAW.

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

Chapter 3 Section 1 Laws 2008

Section 1. **SHORT TITLE.**--This act may be cited as the "General Appropriation Act of 2008".

Chapter 3 Section 2 Laws 2008

Section 2. **DEFINITIONS.**--As used in the General Appropriation Act of 2008:

A. "agency" means an office, department, agency, institution, board, bureau, commission, court, district attorney, council or committee of state government;

B. "efficiency" means the measure of the degree to which services are efficient and productive and is often expressed in terms of dollars or time per unit of output;

C. "explanatory" means information that can help users to understand reported performance measures and to evaluate the significance of underlying factors that may have affected the reported information;

D. "federal funds" means any payments by the United States government to state government or agencies except those payments made in accordance with the federal Mineral Lands Leasing Act;

E. "full-time equivalent" or "FTE" means one or more authorized positions that alone or together receives or receive compensation for not more than two thousand eighty-eight hours worked in fiscal year 2009. The calculation of hours worked includes compensated absences but does not include overtime, compensatory time or sick leave paid pursuant to Section 10-7-10 NMSA 1978;

F. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes federal Mineral Lands Leasing Act receipts and those payments made in accordance with the federal block grant and the federal Workforce Investment Act, but excludes the general fund operating reserve, the appropriation contingency fund, the tax stabilization reserve and any other fund, reserve or account from which general appropriations are restricted by law;

G. "interagency transfers" means revenue, other than internal service funds, legally transferred from one agency to another;

H. "internal service funds" means:

(1) revenue transferred to an agency for the financing of goods or services to another agency on a cost-reimbursement basis; and

(2) balances in agency internal service fund accounts appropriated by the General Appropriation Act of 2008;

I. "other state funds" means:

(1) nonreverting balances in agency accounts, other than in internal service funds accounts, appropriated by the General Appropriation Act of 2008;

(2) all revenue available to agencies from sources other than the general fund, internal service funds, interagency transfers and federal funds; and

(3) all revenue, the use of which is restricted by statute or agreement;

J. "outcome" means the measure of the actual impact or public benefit of a program;

K. "output" means the measure of the volume of work completed or the level of actual services or products delivered by a program;

L. "performance measure" means a quantitative or qualitative indicator used to assess a program;

M. "quality" means the measure of the quality of a good or service produced and is often an indicator of the timeliness, reliability or safety of services or products produced by a program;

N. "revenue" means all money received by an agency from sources external to that agency, net of refunds and other correcting transactions, other than from issue of debt, liquidation of investments or as agent or trustee for other governmental entities or private persons; and

O. "target" means the expected level of performance of a program's performance measures.

Chapter 3 Section 3 Laws 2008

Section 3. GENERAL PROVISIONS.--

A. Amounts set out under column headings are expressed in thousands of dollars.

B. Amounts set out under column headings are appropriated from the source indicated by the column heading. All amounts set out under the column heading

“Internal Service Funds/Interagency Transfers” are intergovernmental transfers and do not represent a portion of total state government appropriations. All information designated as “Total” or “Subtotal” is provided for information and amounts are not appropriations.

C. Amounts set out in Section 4 of the General Appropriation Act of 2008, or so much as may be necessary, are appropriated from the indicated source for expenditure in fiscal year 2009 for the objects expressed.

D. Unexpended balances in agency accounts remaining at the end of fiscal year 2008 shall revert to the general fund by October 1, 2008, unless otherwise indicated in the General Appropriation Act of 2008 or otherwise provided by law.

E. Unexpended balances in agency accounts remaining at the end of fiscal year 2009 shall revert to the general fund by October 1, 2009, unless otherwise indicated in the General Appropriation Act of 2008 or otherwise provided by law.

F. The state budget division shall monitor revenue received by agencies from sources other than the general fund and shall reduce the operating budget of any agency whose revenue from such sources is not meeting projections. The state budget division shall notify the legislative finance committee of any operating budget reduced pursuant to this subsection.

G. Except as otherwise specifically stated in the General Appropriation Act of 2008, appropriations are made in that act for the expenditures of agencies and for other purposes as required by existing law for fiscal year 2009. If any other act of the second session of the forty-eighth legislature changes existing law with regard to the name or responsibilities of an agency or the name or purpose of a fund or distribution, the appropriation made in the General Appropriation Act of 2008 shall be transferred from the agency, fund or distribution to which an appropriation has been made as required by existing law to the appropriate agency, fund or distribution provided by the new law.

H. The department of finance and administration will regularly consult with the legislative finance committee staff to compare fiscal year 2009 revenue collections with the revenue estimate. If the analyses indicate that revenues and transfers to the general fund are not expected to meet appropriations, then the department shall present a plan to the legislative finance committee that outlines the methods by which the administration proposes to address the deficit.

I. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, agencies whose revenue from state board of finance loans, from revenue appropriated by other acts of the legislature, or from gifts, grants, donations, bequests, insurance settlements, refunds or payments into revolving funds exceeds specifically appropriated amounts may request budget increases from the state budget division. If approved by the state budget division, such money is appropriated.

~~[J. Pursuant to Section 6-4-2 NMSA 1978, federal funds received during fiscal year 2009 and not specifically appropriated shall be subject to future appropriation by the legislature provided, however, that an agency may request a budget increase during fiscal year 2009 from the state budget division if the agency submits documentation to the state budget division and to the legislative finance committee showing that all of the following five requirements have been met:~~

~~(1) the requested budget increase is for federal funds the amount of which could not have been reasonably anticipated or known during the second session of the forty-eighth legislature and, therefore, could not have been requested by the agency or appropriated by the legislature;~~

~~(2) the federal law authorizing the disbursement of the federal funds to the state requires the funds to be expended for specific programs or specific governmental functions without leaving a policy choice to the state of how the funds are to be expended;~~

~~(3) the state has no discretion as to the programs or governmental functions for which the federal funds will be expended;~~

~~(4) the executive branch has had no input into the selection of the programs or governmental functions for which the federal funds are required to be expended; and~~

~~(5) due to the emergency nature of the purpose of the federal funds or the likelihood~~

~~that the federal funds will be unavailable in the future, the funds need to be budgeted and expended before the first session of the forty-ninth legislature.~~

~~K. For fiscal year 2009, the number of permanent and term full-time-equivalent positions specified for each agency shows the maximum number of employees intended by the legislature for that agency, unless another provision of the General Appropriation Act of 2008 or another act of the second session of the forty-eighth legislature provides for additional employees.]~~

L. Except for gasoline credit cards used solely for operation of official vehicles, telephone credit cards used solely for official business and procurement cards used as authorized by Section 6-5-9.1 NMSA 1978, none of the appropriations contained in the General Appropriation Act of 2008 may be expended for payment of agency-issued credit card invoices.

~~[M. To further prevent unnecessary spending, appropriations contained in the General Appropriation Act of 2008 may not be expended for any travel expenditure, for passenger vehicle operation, except that of police and emergency vehicles, or~~

~~mileage reimbursement for travel between cities served by the New Mexico rail runner express.]~~

N. To prevent unnecessary spending, expenditures from the General Appropriation Act of 2008 for gasoline for state-owned vehicles at public gasoline service stations shall be made only for self-service gasoline provided that a state agency head may provide exceptions from the requirement to accommodate disabled persons or for other reasons the public interest may require.

O. For the purpose of administering the General Appropriation Act of 2008 and approving operating budgets, the state of New Mexico shall follow the modified accrual basis of accounting for governmental funds in accordance with the manual of model accounting practices issued by the department of finance and administration.

~~[P. During fiscal year 2009, before promulgating a rule subject to the State Rules Act, an agency shall submit a copy of the proposed rule to the legislative finance committee and the legislative council service. The proposed rule shall be submitted at the same time that public notice of the proposed rule is required by law.]~~

Chapter 3 Section 4 Laws 2008

Item	General State Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency/Trnsf	Federal Funds	Total/Target
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Section 4. FISCAL YEAR 2009 APPROPRIATIONS.--

A. LEGISLATIVE

LEGISLATIVE COUNCIL SERVICE:

(1) Legislative building services:

Appropriations:

(a) Personal services and

employee benefits	2,996.9		2,996.9
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(b) Contractual services		165.0	165.0
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(c) Other	1,070.6		1,070.6
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Authorized FTE: 55.00 Permanent; 4.00 Temporary

(2) Energy council dues:

Appropriations:	32.0	32.0
Subtotal		4,264.5
TOTAL LEGISLATIVE	4,264.5	4,264.5

B. JUDICIAL

SUPREME COURT LAW LIBRARY:

The purpose of the supreme court law library program is to provide and produce legal information for the judicial, legislative and executive branches of state government, the legal community and the public at large so they may have equal access to the law, effectively address the courts, make laws and write rules, better understand the legal system and conduct their affairs in accordance with the principles of law.

Appropriations:

(a) Personal services and		
employee benefits	721.7	721.7
(b) Contractual services	376.5	376.5
(c) Other	714.1 1.4	715.5

Authorized FTE: 9.00 Permanent

Performance measures:

- (a) Output: Percent of updated titles 80%
- (b) Output: Number of research requests 6,700

Subtotal	1,813.7
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NEW MEXICO COMPILATION COMMISSION:

The purpose of the New Mexico compilation commission program is to publish in print and electronic format, distribute and sell (1) laws enacted by the legislature, (2) opinions of the supreme court and court of appeals, (3) rules approved by the supreme court, (4) attorney general opinions and (5) other state and federal rules and opinions and ensure the accuracy and reliability of its publications.

Appropriations:

(a) Personal services and		
employee benefits	167.6 190.2	357.8

(b)	Contractual services	1,059.9	1,059.9
(c)	Other	178.8	178.8

Authorized FTE: 5.00 Permanent; 1.00 Term

Performance measures:

(a) Output:	Amount of revenue collected, in thousands	\$1,291.3
Subtotal		1,596.5

JUDICIAL STANDARDS COMMISSION:

The purpose of the judicial standards commission program is to provide a public review process addressing complaints involving judicial misconduct in order to preserve the integrity and impartiality of the judicial process.

Appropriations:

(a)	Personal services and employee benefits	642.7	642.7
(b)	Contractual services	55.0	55.0
(c)	Other	139.4	139.4

Authorized FTE: 7.00 Permanent; 1.00 Temporary

Performance measures:

(a) Efficiency:	Upon knowledge of cause for emergency interim suspension, time for commission to file petition for temporary suspension, in days	2
(b) Output:	Time for release of annual report to the public, from the end of the fiscal year, in months	2
(c) Efficiency:	For cases in which formal charges are filed, average time for formal hearings to be reached, in meeting cycles	3
Subtotal		837.1

COURT OF APPEALS:

The purpose of the court of appeals program is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and		
	employee benefits	5,132.9	5,132.9
(b)	Contractual services	135.0	135.0
(c)	Other	422.2 1.0	423.2

Authorized FTE: 60.50 Permanent

Performance measures:

(a) Explanatory: Cases disposed as a percent of cases filed 97%

Subtotal 5,691.1

SUPREME COURT:

The purpose of the supreme court program is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and		
	employee benefits	2,791.1	2,791.1
(b)	Contractual services	51.0	51.0
(c)	Other	224.8	224.8

Authorized FTE: 34.00 Permanent

Performance measures:

(a) Explanatory: Cases disposed as a percent of cases filed 95%

Subtotal 3,066.9

ADMINISTRATIVE OFFICE OF THE COURTS:

(1) Administrative support:

The purpose of the administrative support program is to provide administrative support to the chief justice, all judicial branch units and the administrative office of the courts so that they can effectively administer the New Mexico court system.

Appropriations:

- (a) Personal services and
employee benefits 2,938.5 214.7 23.1 3,176.3
- (b) Contractual services 529.8 266.0 675.0 1,470.8
- (c) Other 4,894.0 525.0 99.0 153.3 5,671.3
- (d) Other financing uses 100.0 100.0

Authorized FTE: 37.80 Permanent; 4.00 Term

Performance measures:

- (a) Outcome: Percent of jury summons successfully executed 92%
- (b) Output: Average cost per juror \$42

(2) Statewide judiciary automation:

The purpose of the statewide judiciary automation program is to provide development, enhancement, maintenance and support for core court automation and usage skills for appellate, district, magistrate and municipal courts and ancillary judicial agencies.

Appropriations:

- (a) Personal services and
employee benefits 2,578.7 1,638.7 4,217.4
- (b) Contractual services 11.0 785.8 796.8
- (c) Other 478.9 2,736.2 3,215.1

Authorized FTE: 39.50 Permanent; 9.00 Term

Performance measures:

(a) Quality: Percent of accurate driving-while-intoxicated court reports 98%

(b) Quality: Average time to respond to automation calls for assistance,
in minutes 25

(3) Magistrate court:

The purpose of the magistrate court and warrant enforcement program is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Personal services and

employee benefits	17,104.1	2,266.5	19,370.6
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(b) Contractual services	346.5	103.0	100.0	549.5
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(c) Other	6,644.3	402.7	355.0	7,402.0
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Authorized FTE: 284.50 Permanent; 56.50 Term

Performance measures:

(a) Outcome: Bench warrant revenue collected annually, in millions \$2.4

(b) Explanatory: Percent of cases disposed as a percent of cases filed 95%

(c) Efficiency: Percent of magistrate courts' financial reports submitted
to fiscal services division and reconciled on a monthly
basis 100%

(4) Special court services:

The purpose of the special court services program is to provide court advocates, legal counsel and safe exchanges for children and families, to provide judges pro tempore and to adjudicate water rights disputes so that the constitutional rights and safety of citizens (especially children and families) are protected.

Appropriations:

(a) Personal services and

	employee benefits	163.2	163.2	
(b)	Contractual services	6,145.4	350.0	6,495.4
(c)	Other	37.4	37.4	
(d)	Other financing uses	1,488.3		1,488.3

Authorized FTE: 2.00 Permanent

Performance measures:

(a) Output: Number of required events attended by attorneys in abuse and neglect cases 8,000

(b) Output: Number of monthly supervised child visitations conducted 500

(c) Output: Number of cases to which court appointed special advocate volunteers are assigned 1,600

Subtotal 54,154.1

SUPREME COURT BUILDING COMMISSION:

The purpose of the supreme court building commission program is to retain custody and control of the supreme court building and its grounds to provide care, preservation, repair, cleaning, heating and lighting and to hire necessary employees for these purposes.

Appropriations:

(a)	Personal services and			
	employee benefits	637.7	637.7	
(b)	Contractual services	6.9	6.9	
(c)	Other	135.8	135.8	

Authorized FTE: 15.30 Permanent

Performance measures:

(a) Quality: Accuracy of fixed-assets inventory records 100%

Subtotal 780.4

DISTRICT COURTS:

(1) First judicial district:

The purpose of the first judicial district court program, statutorily created in Santa Fe, Rio Arriba and Los Alamos counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

- | | | | | | |
|-----|-----------------------|---------|-------|-------|---------|
| (a) | Personal services and | | | | |
| | employee benefits | 5,725.4 | 265.3 | 283.3 | 6,274.0 |
| (b) | Contractual services | 788.1 | 34.1 | 90.0 | 912.2 |
| (c) | Other | 183.9 | 183.5 | 53.5 | 420.9 |

Authorized FTE: 86.00 Permanent; 8.80 Term

Performance measures:

- | | | |
|------------------|--|-----|
| (a) Explanatory: | Cases disposed as a percent of cases filed | 95% |
| (b) Quality: | Recidivism of adult drug-court graduates | 9% |
| (c) Quality: | Recidivism of juvenile drug-court graduates | 15% |
| (d) Output: | Number of adult drug-court graduates | 18 |
| (e) Output: | Number of juvenile drug-court graduates | 17 |
| (f) Output: | Number of days to process juror payment vouchers | 12 |
| (g) Explanatory: | Graduation rate, juvenile drug court | 50% |
| (h) Explanatory: | Graduation rate, adult drug court | 45% |

(2) Second judicial district:

The purpose of the second judicial district court program, statutorily created in Bernalillo county, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and				
	employee benefits	20,823.5	740.3	1,407.2	22,971.0
(b)	Contractual services	476.5			476.5
(c)	Other	843.8	184.6	118.4	1,146.8

Authorized FTE: 331.50 Permanent; 28.50 Term

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 95%
- (b) Quality: Recidivism of adult drug-court graduates 10%
- (c) Quality: Recidivism of juvenile drug-court graduates 10%
- (d) Output: Number of adult drug-court graduates 185
- (e) Output: Number of juvenile drug-court graduates 20
- (f) Output: Number of days to process juror payment vouchers 14
- (g) Explanatory: Graduation rate, adult drug court 55%
- (h) Explanatory: Graduation rate, juvenile drug court 60%

(3) Third judicial district:

The purpose of the third judicial district court program, statutorily created in Dona Ana county, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and				
	employee benefits	5,426.7		471.3	5,898.0
(b)	Contractual services	827.4	90.0	127.1	1,044.5
(c)	Other	288.3	51.0	110.5	449.8

Authorized FTE: 84.30 Permanent; 6.50 Term

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Quality: Recidivism of adult drug-court graduates 15%
- (c) Output: Number of adult drug-court graduates 30
- (d) Output: Number of juvenile drug-court graduates 20
- (e) Explanatory: Graduation rate, adult drug court 70%
- (f) Explanatory: Graduation rate, juvenile drug court 70%

(4) Fourth judicial district:

The purpose of the fourth judicial district court program, statutorily created in Mora, San Miguel and Guadalupe counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

- (a) Personal services and
employee benefits 1,835.0 1,835.0
- (b) Contractual services 231.4 10.0 30.0 271.4
- (c) Other 162.1 20.0 182.1

Authorized FTE: 29.50 Permanent

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Output: Number of days to process juror payment vouchers 12
- (c) Explanatory: Graduation rate, juvenile drug court 60%
- (d) Quality: Recidivism of juvenile drug-court graduates 20%
- (e) Output: Number of juvenile drug-court graduates 9

(5) Fifth judicial district:

The purpose of the fifth judicial district court program, statutorily created in Eddy, Chaves and Lea counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records

of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and				
	employee benefits	5,548.8		42.9	5,591.7
(b)	Contractual services	522.9	70.0	285.0	877.9
(c)	Other	350.3	45.0	11.2	406.5

Authorized FTE: 82.00 Permanent; 1.00 Term

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Output: Number of days to process juror payment vouchers 10
- (c) Explanatory: Graduation rate, family drug court 80%
- (d) Quality: Recidivism of family drug-court graduates 15%
- (e) Output: Number of family drug-court graduates 9

(6) Sixth judicial district:

The purpose of the sixth judicial district court program, statutorily created in Grant, Luna and Hidalgo counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and				
	employee benefits	2,280.0			2,280.0
(b)	Contractual services	632.0	13.8	75.0	720.8
(c)	Other	201.0	10.5		211.5

Authorized FTE: 34.50 Permanent; .50 Term

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Quality: Recidivism of juvenile drug-court graduates 13%
- (c) Output: Number of juvenile drug-court graduates 9
- (d) Output: Number of days to process juror payment vouchers 14
- (e) Explanatory: Graduation rate, juvenile drug court 40%

(7) Seventh judicial district:

The purpose of the seventh judicial district court program, statutorily created in Torrance, Socorro, Sierra and Catron counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

- (a) Personal services and

employee benefits	1,917.4	271.7	2,189.1
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- (b) Contractual services 283.6 29.0 82.3 394.9
- (c) Other 163.6 60.5 224.1

Authorized FTE: 32.00 Permanent; 4.00 Term

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Output: Number of days to process juror payment vouchers 14

(8) Eighth judicial district:

The purpose of the eighth judicial district court program, statutorily created in Taos, Colfax and Union counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

- (a) Personal services and

employee benefits	1,722.6	1,722.6
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(b)	Contractual services	758.3	71.0	80.0	909.3
(c)	Other	151.6		151.6	

Authorized FTE: 27.50 Permanent

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Quality: Recidivism of adult drug-court graduates 10%
- (c) Quality: Recidivism of juvenile drug-court graduates 10%
- (d) Output: Number of adult drug-court graduates 18
- (e) Output: Number of juvenile drug-court graduates 15
- (f) Output: Number of days to process juror payment vouchers 12
- (g) Explanatory: Graduation rate, juvenile drug court 70%
- (h) Explanatory: Graduation rate, adult drug court 75%

(9) Ninth judicial district:

The purpose of the ninth judicial district court program, statutorily created in Curry and Roosevelt counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and				
	employee benefits	3,072.0		500.0	3,572.0
(b)	Contractual services	110.4	16.5	85.0	211.9
(c)	Other	186.7	61.5	97.5	345.7

Authorized FTE: 43.80 Permanent; 5.50 Term

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Output: Number of days to process juror payment vouchers 14

(10) Tenth judicial district:

The purpose of the tenth judicial district court program, statutorily created in Quay, De Baca and Harding counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and			
	employee benefits	677.3		677.3
(b)	Contractual services	15.6	17.0	32.6
(c)	Other	73.0	4.5	77.5

Authorized FTE: 10.00 Permanent

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Output: Number of days to process juror payment vouchers 14

(11) Eleventh judicial district:

The purpose of the eleventh judicial district court program, statutorily created in San Juan and McKinley counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and				
	employee benefits	5,036.4	365.6	5,402.0	
(b)	Contractual services	331.2	84.9	141.1	557.2
(c)	Other	461.4	48.1	45.3	554.8

Authorized FTE: 80.50 Permanent; 6.50 Term

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Quality: Recidivism of adult drug-court graduates 10%

- (c) Quality: Recidivism of juvenile drug-court graduates 10%
- (d) Output: Number of adult drug-court graduates 40
- (e) Output: Number of juvenile drug-court graduates 16
- (f) Output: Number of days to process juror payment vouchers 12
- (g) Explanatory: Graduation rate, juvenile drug court 75%
- (h) Explanatory: Graduation rate, adult drug court 70%

(12) Twelfth judicial district:

The purpose of the twelfth judicial district court program, statutorily created in Otero and Lincoln counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

- (a) Personal services and
employee benefits 2,475.5 2,475.5
- (b) Contractual services 598.3 90.0 688.3
- (c) Other 137.1 50.0 187.1

Authorized FTE: 40.50 Permanent

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Quality: Recidivism of juvenile drug-court participants 20%
- (c) Output: Number of juvenile drug-court graduates 14
- (d) Output: Number of days to process juror payment vouchers 14
- (e) Explanatory: Graduation rate, juvenile drug court 65%

(13) Thirteenth judicial district:

The purpose of the thirteenth judicial district court program, statutorily created in Valencia, Sandoval and Cibola counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate

records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and				
	employee benefits	5,184.6	195.9		5,380.5
(b)	Contractual services	1,024.1	98.8	241.8	1,364.7
(c)	Other	456.2	4.0	79.8	540.0
	Authorized FTE: 74.50 Permanent; 4.00 Term				

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 90%
- (b) Quality: Recidivism of juvenile drug-court graduates 20%
- (c) Output: Number of juvenile drug-court graduates 44
- (d) Output: Number of days to process juror payment vouchers 14
- (e) Explanatory: Graduation rate, juvenile drug court 75%

Subtotal 79,629.3

BERNALILLO COUNTY METROPOLITAN COURT:

The purpose of the Bernalillo county metropolitan court program is to provide access to justice, resolve disputes justly and timely, and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a)	Personal services and				
	employee benefits	18,215.2	1,995.9	33.4	20,244.5
(b)	Contractual services	2,790.4	687.7		3,478.1
(c)	Other	2,801.0	381.5		3,182.5
(d)	Other financing uses	65.3			65.3

Authorized FTE: 299.00 Permanent; 53.50 Term

Performance measures:

- (a) Explanatory: Cases disposed as a percent of cases filed 98%
- (b) Efficiency: Cost per client per day for adult drug-court participants \$15
- (c) Quality: Recidivism of driving-while-intoxicated/drug-court graduates 4%
- (d) Output: Number of driving-while-intoxicated/drug-court graduates 250
- (e) Explanatory: Graduation rate of drug-court participants 71%
- (f) Outcome: Fees and fines collected as a percent of fees and fines assessed 92%

Subtotal 26,970.4

DISTRICT ATTORNEYS:

(1) First judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Santa Fe, Rio Arriba and Los Alamos counties.

Appropriations:

- (a) Personal services and employee benefits 4,516.2 38.4 134.8 4,689.4
- (b) Contractual services 32.4 32.4
- (c) Other 497.3 497.3

Authorized FTE: 70.00 Permanent; 3.00 Term

Performance measures:

- (a) Output: Number of cases dismissed under the six-month rule <25
- (b) Output: Number of cases referred for screening 3,000
- (c) Output: Number of cases prosecuted 2,350

(d) Efficiency: Average time from filing of petition to final disposition,
in months 2

(e) Efficiency: Average attorney caseload 110

(2) Second judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Bernalillo county.

Appropriations:

(a) Personal services and employee benefits	16,458.1	46.0	762.2	150.0	17,416.3
(b) Contractual services	266.0		9.5		275.5
(c) Other	759.4	137.1	896.5		

Authorized FTE: 283.00 Permanent; 15.50 Term

Performance measures:

(a) Outcome: Percent of cases dismissed under the six-month rule <2.8%

(b) Output: Number of cases prosecuted 26,000

(c) Output: Number of cases referred for screening 43,500

(d) Efficiency: Average time from filing of petition to final disposition,
in months 10.5

(e) Efficiency: Average attorney caseload 450

(f) Efficiency: Average number of cases prosecuted per attorney 245

(3) Third judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Dona Ana county.

Appropriations:

- (a) Personal services and
employee benefits 4,276.4 54.4 1,072.4 5,403.2
- (b) Contractual services 65.2 65.2
- (c) Other 296.3 296.3

Authorized FTE: 62.00 Permanent; 19.00 Term

Performance measures:

- (a) Efficiency: Average time from filing of petition to final disposition,
in months 7
- (b) Outcome: Percent of cases dismissed under the six-month rule <0.3%
- (c) Output: Number of cases prosecuted 5,000
- (d) Output: Number of cases referred for screening 6,000
- (e) Efficiency: Average attorney caseload 160

(4) Fourth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Mora, San Miguel and Guadalupe counties.

Appropriations:

- (a) Personal services and
employee benefits 3,064.7 3,064.7
- (b) Contractual services 78.8 78.8
- (c) Other 225.7 225.7

Authorized FTE: 42.00 Permanent

Performance measures:

- (a) Output: Number of cases referred for screening 5,750
- (b) Outcome: Percent of cases dismissed under the six-month rule <1%

- (c) Output: Number of cases prosecuted 1,800
- (d) Output: Number of drug cases prosecuted 140
- (e) Output: Number of domestic violence cases prosecuted 375
- (f) Efficiency: Average attorney caseload 250
- (g) Efficiency: Average time from filing of petition to final disposition,
in months 6

(5) Fifth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Eddy, Lea and Chaves counties.

Appropriations:

- (a) Personal services and
employee benefits 4,007.9 15.0 4,022.9
- (b) Contractual services 206.9 206.9
- (c) Other 360.0 360.0

Authorized FTE: 60.00 Permanent

Performance measures:

- (a) Outcome: Percent of cases dismissed under the six-month rule 0%
- (b) Output: Number of cases prosecuted 4,000
- (c) Output: Number of cases referred for screening 3,200
- (d) Efficiency: Average time from filing of petition to final disposition,
in months 5
- (e) Efficiency: Average attorney caseload 200

(6) Sixth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Grant, Hidalgo and Luna counties.

Appropriations:

- (a) Personal services and
employee benefits 2,329.7 229.5 100.7 2,659.9
- (b) Contractual services 19.5 19.5
- (c) Other 249.6 249.6

Authorized FTE: 34.00 Permanent; 6.00 Term

Performance measures:

- (a) Outcome: Percent of cases dismissed under the six-month rule <1%
- (b) Output: Number of cases prosecuted 1,900
- (c) Output: Number of cases referred for screening 2,200
- (d) Efficiency: Average time from filing of petition to final disposition,
in months 5
- (e) Efficiency: Average attorney caseload 180

(7) Seventh judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Catron, Sierra, Socorro and Torrance counties.

Appropriations:

- (a) Personal services and
employee benefits 2,185.6 2,185.6
- (b) Contractual services 56.1 56.1
- (c) Other 245.3 245.3

Authorized FTE: 36.00 Permanent; 1.00 Term

Performance measures:

- (a) Output: Number of cases prosecuted 2,100
- (b) Output: Number of cases referred for screening 2,200
- (c) Efficiency: Average attorney caseload 140
- (d) Efficiency: Average time from filing of petition to final disposition,
in months 5.5
- (e) Outcome: Percent of cases dismissed under the six-month rule <2%

(8) Eighth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Taos, Colfax and Union counties.

Appropriations:

- (a) Personal services and
employee benefits 2,396.0 2,396.0
- (b) Contractual services 68.5 68.5
- (c) Other 265.7 265.7

Authorized FTE: 33.00 Permanent; 1.00 Term; 3.00 Temporary

Performance measures:

- (a) Output: Number of cases referred for screening 3,600
- (b) Outcome: Percent of cases dismissed under the six-month rule <3%
- (c) Output: Number of cases prosecuted 1,600
- (d) Efficiency: Average time from filing of petition to final disposition,
in months 7
- (e) Efficiency: Average attorney caseload 200

(9) Ninth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Curry and Roosevelt counties.

Appropriations:

(a)	Personal services and		
	employee benefits	2,632.2	2,632.2
(b)	Contractual services	11.0	11.0
(c)	Other	137.3	137.3

Authorized FTE: 39.00 Permanent

Performance measures:

- (a) Outcome: Percent of cases dismissed under the six-month rule <1%
- (b) Output: Number of cases referred for screening 3,000
- (c) Output: Number of cases dismissed under the six-month rule <10
- (d) Efficiency: Average time from filing of petition to final disposition,
in months 4
- (e) Efficiency: Average attorney caseload 250

(10) Tenth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure protection, safety, welfare and health of the citizens within Quay, Harding and De Baca counties.

Appropriations:

(a)	Personal services and		
	employee benefits	905.2	905.2
(b)	Contractual services	7.9	7.9
(c)	Other	118.2	118.2

Authorized FTE: 13.00 Permanent

Performance measures:

- (a) Outcome: Percent of cases dismissed under the six-month rule <1%
- (b) Output: Number of cases prosecuted 1,200
- (c) Output: Number of cases referred for screening 900
- (d) Output: Number of cases dismissed under the six-month rule 0
- (e) Efficiency: Average time from filing of petition to final disposition,
in months 5
- (f) Efficiency: Average attorney caseload 300

(11) Eleventh judicial district-division I:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within San Juan county.

Appropriations:

- (a) Personal services and
employee benefits 3,305.2 249.7 46.3 62.0 3,663.2
- (b) Contractual services 21.9 21.9
- (c) Other 242.1 242.1

Authorized FTE: 55.00 Permanent; 10.50 Term

Performance measures:

- (a) Outcome: Percent of cases dismissed under the six-month rule <0.5%
- (b) Output: Number of cases referred for screening 4,500
- (c) Output: Number of cases prosecuted 4,300
- (d) Efficiency: Average attorney caseload 200
- (e) Efficiency: Average time from filing of petition to final disposition,
in months <6

(12) Eleventh judicial district-division II:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within McKinley county.

Appropriations:

(a)	Personal services and			
	employee benefits	1,900.0	53.4	1,953.4
(b)	Contractual services	11.7		11.7
(c)	Other	220.9	220.9	

Authorized FTE: 33.00 Permanent; 2.00 Term

Performance measures:

- (a) Outcome: Percent of cases dismissed under the six-month rule <1%
- (b) Output: Number of cases prosecuted 2,563
- (c) Output: Number of cases referred for screening 3,951
- (d) Efficiency: Average time from filing of petition to final disposition,
in months 8
- (e) Efficiency: Average attorney caseload 466

(13) Twelfth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Lincoln and Otero counties.

Appropriations:

(a)	Personal services and					
	employee benefits	2,151.0	254.2	49.0	225.6	2,679.8
(b)	Contractual services	68.3	60.0			128.3
(c)	Other	364.6	40.0	404.6		

Authorized FTE: 39.00 Permanent; 8.50 Term

Performance measures:

- (a) Outcome: Percent of cases dismissed under the six-month rule <0.5%
- (b) Output: Number of cases prosecuted 5,500
- (c) Output: Number of cases referred for screening 7,000
- (d) Efficiency: Average time from filing of petition to final disposition,
in months 8
- (e) Efficiency: Average attorney caseload 160

(14) Thirteenth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Cibola, Sandoval and Valencia counties.

Appropriations:

- (a) Personal services and
employee benefits 4,320.7 236.2 10.8 4,567.7
- (b) Contractual services 75.0 75.0
- (c) Other 438.4 438.4

Authorized FTE: 80.00 Permanent; 4.00 Term

Performance measures:

- (a) Output: Number of cases prosecuted 8,200
- (b) Output: Number of cases referred for screening 8,966
- (c) Efficiency: Average time from filing of petition to final disposition,
in months 6
- (d) Efficiency: Average attorney caseload 190
- (e) Outcome: Percent of cases dismissed under the six-month rule <0.2%

Subtotal 63,896.1

ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS:

(1) Administrative support:

The purpose of the administrative support program is to provide fiscal, human resource, staff development, automation, victim program services and support to all district attorneys' offices in New Mexico and to members of the New Mexico children's safehouse network so that they may obtain and access the necessary resources to effectively and efficiently carry out their prosecutorial, investigative and programmatic functions.

Appropriations:

(a)	Personal services and			
	employee benefits	908.5	11.8	920.3
(b)	Contractual services		38.2	38.2
(c)	Other	1,241.6	100.0	1,341.6

Authorized FTE: 13.00 Permanent

Performance measures:

(a) Output:	Number of victim notification events and escapes reported,	
	monthly	6,500
(b) Output:	Number of district attorney employees receiving training	1,000

Subtotal 2,300.1

TOTAL JUDICIAL 213,579.4 16,143.8 8,315.6 2,696.9 240,735.7

C. GENERAL CONTROL

ATTORNEY GENERAL:

(1) Legal services:

The purpose of the legal services program is to deliver quality legal services, opinions, counsel and representation to state government entities and to enforce state law on behalf of the public so that New Mexicans have an open, honest, efficient government and enjoy the protection of state law.

Appropriations:

(a) Personal services and

employee benefits	12,860.3		12,860.3
(b) Contractual services	726.0		726.0
(c) Other	2,051.9	104.0	2,155.9

Authorized FTE: 159.00 Permanent; 1.00 Term

The federal funds appropriation to the legal services program of the attorney general in the other category includes one hundred four thousand dollars (\$104,000) from the medicaid fraud division.

~~[Unless otherwise provided by the terms of the settlement,]~~ all revenue generated from antitrust cases and consumer protection settlements through the attorney general on behalf of the state, political subdivisions or private citizens shall revert to the general fund.

Performance measures:

(a) Outcome: Percent of initial responses to requests for attorney

general opinions made within three days of request 95%

(2) Medicaid fraud:

The purpose of the medicaid fraud program is to investigate and prosecute medicaid provider fraud, recipient abuse and neglect in the medicaid program.

Appropriations:

(a) Personal services and			
employee benefits	94.6	1,562.5	1,657.1
(b) Contractual services	28.9		28.9
(c) Other	407.3	407.3	
(d) Other financing uses	74.0	30.0	104.0

Authorized FTE: 21.00 Permanent

Performance measures:

(a) Outcome: Three-year projected savings resulting from fraud

investigations, in millions \$12.2

Subtotal 17,939.5

STATE AUDITOR:

The purpose of the state auditor program is to audit the financial affairs of every agency annually so they can improve accountability and performance and to assure New Mexico citizens that funds are expended properly.

Appropriations:

- (a) Personal services and
employee benefits 2,379.7 214.0 62.4 2,656.1
- (b) Contractual services 255.0 255.0
- (c) Other 225.0 337.6 562.6

Authorized FTE: 32.00 Permanent; 1.00 Term

Performance measures:

- (a) Outcome: Percent of audits completed by regulatory due date 80%
- (b) Output: Total audit fees generated \$400,000

Subtotal 3,473.7

TAXATION AND REVENUE DEPARTMENT:

(1) Tax administration:

The purpose of the tax administration program is to provide registration and licensure requirements for tax programs and to ensure the administration, collection and compliance of state taxes and fees that provide funding for support services for the general public through appropriations.

Appropriations:

- (a) Personal services and
employee benefits 22,744.7 464.3 1,326.3 24,535.3
- (b) Contractual services 61.6 44.0 105.6
- (c) Other 6,123.4 475.1 210.3 6,808.8

Authorized FTE: 501.00 Permanent; 26.00 Term; 31.70 Temporary

Performance measures:

(a) Outcome: Collections as a percent of collectable audit assessments
generated in the current fiscal year 40%

(b) Outcome: Collections as a percent of collectable outstanding
balances from the end of the prior fiscal year 20%

(c) Output: Percent of electronically filed returns (personal income
tax, combined reporting system) 50%

(2) Motor vehicle:

The purpose of the motor vehicle program is to register, title and license vehicles, boats and motor vehicle dealers and to enforce operator compliance with the motor vehicle code and federal regulations by conducting tests, investigations and audits.

Appropriations:

(a) Personal services and			
employee benefits	9,187.1	6,856.5	16,043.6
(b) Contractual services	2,223.4	895.7	3,119.1
(c) Other	4,160.1	2,395.9	6,556.0

Authorized FTE: 375.00 Permanent; 4.00 Term; 4.00 Temporary

Performance measures:

(a) Efficiency:	Average wait time in q-matic-equipped offices, in minutes	14
(b) Efficiency:	Average call center wait time to reach an agent, in minutes	3.75
(c) Outcome:	Percent of registered vehicles with liability insurance	90%

(3) Property tax:

The purpose of the property tax program is to administer the Property Tax Code, to ensure the fair appraisal of property and to assess property taxes within the state.

Appropriations:

(a) Personal services and		
employee benefits	494.6 1,934.7	2,429.3

(b)	Contractual services	30.4	96.2	126.6
(c)	Other	138.2	439.0	577.2

Authorized FTE: 49.00 Permanent

Performance measures:

(a) Outcome: Percent of counties in compliance with sales ratio standard
of eighty-five percent assessed value to market value 90%

(b) Output: Number of appraisals or valuations for companies conducting
business within the state subject to state assessment 510

(4) Compliance enforcement:

The purpose of the compliance enforcement program is to support the overall mission of the New Mexico taxation and revenue department by enforcing the criminal statutes relative to the New Mexico Tax Administration Act and other related financial crimes, as they impact New Mexico state taxes, in order to encourage and achieve voluntary compliance with New Mexico tax laws.

Appropriations:

(a)	Personal services and employee benefits	2,235.2	2,235.2
(b)	Contractual services	9.5	9.5
(c)	Other	550.6	550.6

Authorized FTE: 38.00 Permanent

Performance measures:

(a) Outcome: Successful tax fraud prosecutions as a percent of total
cases prosecuted 90%

(5) Program support:

The purpose of program support is to provide information system resources, human resource services, finance and accounting services, revenue forecasting and legal services in order to give agency personnel the resources needed to meet departmental objectives. For the general public, the program conducts hearings for resolving taxpayer protests and provides stakeholders with reliable information regarding the state's tax programs.

Appropriations:

(a)	Personal services and employee benefits	13,799.9	305.0	342.7	14,447.6
(b)	Contractual services	2,931.4		67.7	2,999.1
(c)	Other	4,779.1	92.3	4,871.4	

Authorized FTE: 213.00 Permanent

Performance measures:

- (a) Outcome: Percent of driving-while-intoxicated drivers license
revocations rescinded due to failure to hold hearings
within ninety days 1%

Subtotal 85,414.9

STATE INVESTMENT COUNCIL:

(1) State investment:

The purpose of the state investment program is to provide investment management of the state's permanent funds for the citizens of New Mexico in order to maximize distributions to the state's operating budget while preserving the real value of the funds for future generations of New Mexicans.

Appropriations:

(a)	Personal services and employee benefits		3,354.3		3,354.3
(b)	Contractual services		28,558.5		28,558.5
(c)	Other	913.5	913.5		

Authorized FTE: 32.00 Permanent

The other state funds appropriation to the state investment program of the state investment council in the contractual services category includes twenty-seven million two hundred twenty-eight thousand dollars (\$27,228,000) to be used only for money manager fees.

Performance measures:

- (a) Outcome: Five-year annualized investment returns to exceed internal benchmarks, in basis points >25
 - (b) Outcome: One-year annualized percentile performance ranking in endowment investment peer universe <49
 - (c) Outcome: One-year annualized investment returns to exceed internal benchmarks, in basis points >25
 - (d) Outcome: Five-year annualized percentile performance ranking in endowment investment peer universe <49
- Subtotal 32,826.3

DEPARTMENT OF FINANCE AND ADMINISTRATION:

(1) Policy development, fiscal analysis, budget oversight and education accountability:

The purpose of the policy development, fiscal analysis, budget oversight and education accountability program is to provide professional, coordinated policy development and analysis and oversight to the governor, the legislature and state agencies so they can advance the state's policies and initiatives using appropriate and accurate data to make informed decisions for the prudent use of the public's tax dollars.

Appropriations:

- (a) Personal services and employee benefits 3,202.9 3,202.9
- (b) Contractual services 202.4 202.4
- (c) Other 295.3 295.3

Authorized FTE: 35.00 Permanent

Performance measures:

- (a) Outcome: Average number of working days to process budget adjustment requests 5
- (b) Outcome: Percent of agencies that develop and implement performance

monitoring plans 100%

(c) Output: Percent of state agencies monitored operating within
available resources 100%

(2) Community development, local government assistance and fiscal oversight:

The purpose of the community development, local government assistance and fiscal oversight program is to provide federal and state oversight assistance to counties, municipalities and special districts with planning, implementation and development of fiscal management so that entities can maintain strong, lasting communities.

Appropriations:

(a)	Personal services and employee benefits	2,323.9	1,006.1	471.5	3,801.5
(b)	Contractual services	2,693.0	2,087.5	31.0	4,811.5
(c)	Other	138.8	34,121.6	14,112.0	48,372.4
(d)	Other financing uses		300.0		300.0

Authorized FTE: 35.00 Permanent; 21.00 Term

Performance measures:

(a) Output: Percent of local entity budgets submitted to the local
government division by established deadline 95%

(b) Output: Number of capital projects older than five years that are
unexpended 180

(c) Output: Percent of state agency capital outlay projects included in
the infrastructure capital improvement plan 95%

(d) Output: Percent of local capital outlay projects included in the
infrastructure capital improvement plan 90%

(3) Fiscal management and oversight:

The purpose of the fiscal management and oversight program is to provide for and promote financial accountability for public funds throughout state government and to provide state government agencies and the citizens of New Mexico with timely, factual and comprehensive information on the financial status and expenditures of the state.

Appropriations:

(a)	Personal services and			
	employee benefits	4,209.3	439.8	4,649.1
(b)	Contractual services	1,089.8		1,089.8
(c)	Other	889.8	889.8	

Authorized FTE: 67.00 Permanent

Performance measures:

- (a) Output: Number of regularly scheduled training courses for beginning, intermediate and advanced users of the statewide human resource, accounting and management reporting system 36
- (b) Efficiency: Percent of business days the statewide human resource, accounting and management reporting system is available to end-users during business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) 100%

(4) Program support:

The purpose of program support is to provide other department of finance and administration programs with central direction to agency management processes to ensure consistency, legal compliance and financial integrity; to administer the executive's exempt salary plan; and to review and approve professional services contracts.

Appropriations:

(a)	Personal services and		
	employee benefits	1,523.9	1,523.9
(b)	Contractual services	92.5	92.5

(c) Other 58.0 58.0

Authorized FTE: 20.00 Permanent

Performance measures:

(a) Outcome: Percent of funds certified in compliance to the state
controller as required, within fifteen days after month end 90%

(5) Dues and membership fees/special appropriations:

Appropriations:

(a) Council of state governments 92.4 92.4

(b) Western interstate commission
for higher education 120.0 120.0

(c) Education commission of the
states 62.9 62.9

(d) Rocky mountain corporation
for public broadcasting 13.1 13.1

(e) National association of
state budget officers 15.2 15.2

(f) National conference of state
legislatures 126.6 126.6

(g) Western governors'
association 36.0 36.0

(h) Governmental accounting
standards board 15.7 15.7

(i) National center for state
courts 93.1 93.1

(j)	National conference of insurance legislators	10.0		10.0
(k)	National council of legislators from gaming states	3.0		3.0
(l)	National governors' association	88.0	88.0	
(m)	Citizens' review board	410.0	190.0	600.0
(n)	Emergency water supply fund	150.0		150.0
(o)	Fiscal agent contract	1,050.0		1,050.0
(p)	New Mexico water resources association	6.6	6.6	
(q)	State planning districts	873.3		873.3
(r)	State treasurer's audit	24.0		24.0
(s)	Youth mentoring program	2,542.4		2,542.4
(t)	Luna county teen court	25.0		25.0
(u)	Santa Fe teen court	75.0	75.0	
(v)	Law enforcement enhancement fund	7,809.4		7,809.4
(w)	Leasehold community assistance	150.0	150.0	
(x)	Acequia and community ditch education program	300.0		300.0
(y)	New Mexico acequia			

	commission	30.0		30.0
(z)	Food banks	399.6		399.6
(aa)	Weatherization	800.0		800.0
(bb)	County detention of prisoners	5,100.0		5,100.0
[(cc)	Soil conservation districts	450.0	—————	450.0

~~The general fund appropriation to the department of finance and administration of four hundred fifty thousand dollars (\$450,000) for soil conservation districts is to match federal funds for water conservation and resource restoration technical assistance pursuant to an agreement with the United States department of agriculture resources conservation services.]~~

On certification by the state board of finance pursuant to Section 6-1-2 NMSA 1978 that a critical emergency exists that cannot be addressed by disaster declaration or other emergency or contingency funds [and review by the legislative finance committee], the secretary of the department of finance and administration is authorized to transfer from the general fund operating reserve to the state board of finance emergency fund the amount necessary to meet the emergency. Such transfers shall not exceed an aggregate amount of one million five hundred thousand dollars (\$1,500,000) in fiscal year 2009. Repayments of emergency loans made pursuant to this paragraph shall be deposited in the board of finance emergency fund pursuant to the provisions of Section 6-1-5 NMSA 1978[~~, provided that, after the total amounts deposited in fiscal year 2009 exceed two hundred fifty thousand dollars (\$250,000), any additional repayments shall be transferred to the general fund].~~

Subtotal 90,350.4

PUBLIC SCHOOL INSURANCE AUTHORITY:

(1) Benefits:

The purpose of the benefits program is to provide an effective health insurance package to educational employees and their eligible family members so they are protected against catastrophic financial losses due to medical problems, disability or death.

Appropriations:

(a)	Contractual services	285,660.0		285,660.0
(b)	Other financing uses	646.1		646.1

Performance measures:

(a) Outcome: Average number of days to resolve inquiries and appeals

related to customer service claims 14

(b) Efficiency: Percent variance of medical premium change between the
public school insurance authority and industry average 3%

(2) Risk:

The purpose of the risk program is to provide economical and comprehensive property, liability and workers' compensation programs to educational entities so they are protected against injury and loss.

Appropriations:

(a)	Contractual services	55,884.0	55,884.0
(b)	Other financing uses	646.0	646.0

Performance measures:

(a) Outcome: Percent variance of public property premium change between
public school insurance authority and industry average 15%

(b) Outcome: Percent variance of workers' compensation premium change
between public school insurance authority and industry
average 7%

(c) Outcome: Percent variance of public liability premium change between
public school insurance authority and industry average 15%

(3) Program support:

The purpose of program support is to provide administrative support for the benefits and risk programs and to assist the agency in delivering services to its constituents.

Appropriations:

(a)	Personal services and employee benefits	836.0	836.0
(b)	Contractual services	197.6	197.6
(c)	Other	258.5	258.5

Authorized FTE: 11.00 Permanent

Subtotal 344,128.2

RETIREE HEALTH CARE AUTHORITY:

(1) Health care benefits administration:

The purpose of the health care benefits administration program is to provide fiscally solvent core group and optional healthcare benefits and life insurance to current and future eligible retirees and their dependents so they may access covered and available core group and optional healthcare benefits and life insurance benefits when they need them.

Appropriations:

(a)	Contractual services	200,881.2	200,881.2
(b)	Other financing uses	2,839.8	2,839.8

Performance measures:

(a)	Outcome: Total revenue generated, in millions	\$189
(b)	Output: Minimum number of years of long-term actuarial solvency	25

(2) Senior prescription drug:

The purpose of the senior prescription drug program is to administer the senior prescription drug program aimed at reducing prescription drug expenditures for those covered participants.

Appropriations:

(a)	Other 10.0	10.0
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(3) Program support:

The purpose of program support is to provide administrative support for the health care benefits administration program to assist the agency in delivering its services to its constituents.

Appropriations:

(a)	Personal services and employee benefits	1,634.2	1,634.2
(b)	Contractual services	555.6	555.6
(c)	Other 650.0	650.0	

Authorized FTE: 24.00 Permanent

Any unexpended balances in program support of the retiree health care authority remaining at the end of fiscal year 2009 shall revert to the health care benefits administration program.

Subtotal 206,570.8

GENERAL SERVICES DEPARTMENT:

(1) Employee group health benefits:

The purpose of the employee group health benefits program is to effectively administer comprehensive health benefit plans to state and local government employees.

Appropriations:

(a)	Contractual services		22,356.4	22,356.4
(b)	Other	357,843.6	357,843.6	
(c)	Other financing uses		2,188.0	2,188.0

Performance measures:

(a) Efficiency: Percent change in state employee medical premium compared with the industry average 3%

(b) Explanatory: Percent of eligible state employees purchasing state health insurance 90%

(2) Risk management:

The purpose of the risk management program is to protect the state's assets against property, public liability and workers' compensation, state unemployment compensation, local public bodies unemployment compensation and surety bond losses so that agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a)	Personal services and			
	employee benefits		4,309.8	4,309.8
(b)	Other	1,207.0	1,207.0	
(c)	Other financing uses		2,201.3	2,201.3

Authorized FTE: 65.00 Permanent

Performance measures:

- (a) Output: Percent of total risk management division accounts receivable dollars uncollected one hundred twenty days after invoice due date 10%
- (b) Explanatory: Projected financial position of the public property fund 50%
- (c) Explanatory: Projected financial position of the workers' compensation fund 50%
- (d) Explanatory: Projected financial position of the state and local unemployment funds 50%
- (e) Explanatory: Projected financial position of the public liability fund 50%

(3) Risk management funds:

Appropriations:

(a)	Public liability	45,366.7	45,366.7
(b)	Surety bond	158.1	158.1
(c)	Public property reserve	28,616.2	28,616.2
(d)	Local public body unemployment compensation reserve fund	3,517.7	3,517.7
(e)	Workers' compensation retention	16,783.4	16,783.4
(f)	State unemployment compensation	5,328.3	5,328.3
(g)	Employee assistance	720.0	720.0

(4) State printing services:

The purpose of the state printing services program is to provide quality information processing services that are both timely and cost-effective so agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a)	Personal services and		
	employee benefits	1,365.6	1,365.6
(b)	Contractual services	13.0	13.0
(c)	Other	1,325.7	1,325.7
(d)	Other financing uses	62.5	62.5

Authorized FTE: 26.00 Permanent

Performance measures:

(a) Efficiency: Percent of printing operations that break even, including sixty days of operating reserve 95%

(5) Business office space management and maintenance services:

The purpose of the business office space management and maintenance services program is to provide employees and the public with effective property management and maintenance so that agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a)	Personal services and		
	employee benefits	7,804.1	7,804.1
(b)	Contractual services	509.3	509.3
(c)	Other	6,675.1	6,675.1
(d)	Other financing uses	162.7	162.7

Authorized FTE: 173.00 Permanent

Performance measures:

(a) Outcome: Annual percent reduction of greenhouse gas emissions for

state-owned buildings served by building services division 3%

(b) Outcome: Percent of electricity purchased by state agencies from renewable energy sources 90%

(c) Output: Percent of major facility equipment replaced in Santa Fe buildings that reached expected life 85%

(d) Explanatory: Percent of state-controlled space occupied 90%

(e) Efficiency: Percent of property control capital projects on schedule within approved budget 90%

(6) Transportation services:

The purpose of the transportation services program is to provide centralized and effective administration of the state's motor pool and aircraft transportation services so that agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a)	Personal services and employee benefits	2,129.3	2,129.3
(b)	Contractual services	79.0	79.0
(c)	Other	9,033.5	9,033.5
(d)	Other financing uses	342.5	342.5

Authorized FTE: 38.00 Permanent

Performance measures:

(a) Output: Percent of cars and other light-duty vehicles purchased by state agencies that exceed existing federal fuel efficiency standards for passenger vehicles 94.5%

(b) Explanatory: Percent of state vehicle fleet beyond five-year/sixty thousand miles standard 50%

(c) Efficiency: Percent of total available aircraft fleet hours used 90%

(d) Explanatory: Percent of short-term vehicle use 90%

(7) Procurement services:

The purpose of the procurement services program is to provide a procurement process for tangible property for government entities to ensure compliance with the Procurement Code so that agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a) Personal services and

employee benefits	1,351.1	357.8	1,708.9
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(b) Other 205.9 84.7 290.6

(c) Other financing uses 70.3 16.2 86.5

Authorized FTE: 26.00 Permanent

Performance measures:

(a) Outcome: Percent of all price agreement renewals considered for

"best value" strategic sourcing option 5%

(b) Quality: Percent of customers satisfied with procurement services 80%

(8) Program support:

The purpose of program support is to manage the program performance process to demonstrate success.

Appropriations:

(a) Personal services and

employee benefits	3,021.0	3,021.0
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(b) Contractual services 332.5 332.5

(c) Other 537.9 537.9

(d) Other financing uses 1.0 1.0

Authorized FTE: 40.00 Permanent

Performance measures:

- (a) Quality: Percent of prior-year audit findings resolved 95%
- (b) Efficiency: Average number of working days to process purchase orders and invoices 4 and 8

Subtotal 526,077.2

EDUCATIONAL RETIREMENT BOARD:

(1) Educational retirement:

The purpose of the educational retirement program is to provide secure retirement benefits to active and retired members so they can have secure monthly benefits when their careers are finished.

Appropriations:

- (a) Personal services and employee benefits 3,929.0 3,929.0
- (b) Contractual services 27,581.8 27,581.8
- (c) Other 820.0 820.0

Authorized FTE: 55.00 Permanent; 2.00 Term

The other state funds appropriation to the educational retirement program of the educational retirement board in the contractual services category includes twenty-five million three hundred sixty thousand seven hundred dollars (\$25,360,700) to be used only for investment manager fees.

The other state funds appropriation to the educational retirement program of the educational retirement board in the contractual services category includes four hundred forty-seven thousand one hundred dollars (\$447,100) for payment of custody services associated with the fiscal agent contract upon monthly assessments.

Performance measures:

- (a) Outcome: Average rate of return over a cumulative five-year period 8%
- (b) Outcome: Funding period of unfunded actuarial accrued liability, in years 30

Subtotal 32,330.8

NEW MEXICO SENTENCING COMMISSION:

The purpose of the New Mexico sentencing commission is to provide information, analysis, recommendations and assistance from a coordinated cross-agency perspective to the public and to the three branches of government so policymakers have the resources they need to make decisions that benefit the criminal and juvenile justice systems.

Appropriations:

(a)	Contractual services	811.4	30.0	841.4
(b)	Other 8.5		8.5	
	Subtotal		849.9	

PUBLIC DEFENDER DEPARTMENT:

(1) Criminal legal services:

The purpose of the criminal legal services program is to provide effective legal representation and advocacy for eligible clients so that their liberty and constitutional rights are protected and to serve the community as a partner in assuring a fair and efficient criminal justice system that also sustains New Mexico's statutory and constitutional mandates to adequately fund a statewide indigent defense system.

Appropriations:

(a)	Personal services and employee benefits	25,273.1		25,273.1
(b)	Contractual services	11,370.2	40.0	11,410.2
(c)	Other 6,020.6	144.0	6,164.6	

Authorized FTE: 394.00 Permanent

The general fund appropriation to the criminal legal services program of the public defender department in the personal services and employee benefits category includes seventy-four thousand dollars (\$74,000) and two permanent full-time-equivalent positions for the mental health court program at Bernalillo county metropolitan court.

Performance measures:

(a) Output:	Number of alternative sentencing treatment placements for felony and juvenile clients	4,800	
(b) Output:	Number of expert witness services approved by the department		3,500

(c) Quality:	Percent of felony cases resulting in a reduction of original formally filed charges	40%
(d) Efficiency:	Percent of cases in which application fees were collected	35%
(e) Explanatory:	Annual attorney full-time-equivalent turnover rate	9%
Subtotal		42,847.9

GOVERNOR:

(1) Executive management and leadership:

The purpose of the executive management and leadership program is to provide appropriate management and leadership to the citizens of the state and, more specifically, to the executive branch of government to allow for more efficient and effective operation of the agencies within that branch of government.

Appropriations:

(a)	Personal services and employee benefits	4,085.7	4,085.7
(b)	Contractual services	110.2	110.2
(c)	Other	465.1	465.1
	Authorized FTE: 42.30 Permanent		
Subtotal			4,661.0

LIEUTENANT GOVERNOR:

(1) State ombudsman:

The purpose of the state ombudsman program is to facilitate and promote cooperation and understanding between the citizens of New Mexico and the agencies of state government, refer any complaints or special problems citizens may have to the proper entities and keep records of activities and make an annual report to the governor.

Appropriations:

(a)	Personal services and employee benefits	724.3	724.3
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(b) Contractual services 68.1 68.1

(c) Other 51.0 51.0

Authorized FTE: 8.00 Permanent

Subtotal 843.4

DEPARTMENT OF INFORMATION TECHNOLOGY:

(1) Enterprise services:

The purpose of the enterprise services program is to provide enterprise information technology and customer support services and training; to improve and streamline agency systems by promoting consolidation of services duplicated within agencies; and to provide oversight and compliance through project certification and compliance monitoring with the state's information technology strategic plan and the state information architecture plan.

Appropriations:

(a) Personal services and

employee benefits 1,057.0 4,920.7 5,977.7

(b) Contractual services 1,273.7 1,273.7

(c) Other 1,713.9 1,713.9

(d) Other financing uses 1,998.1 1,998.1

Authorized FTE: 77.00 Permanent

Performance measures:

(a) Outcome: Percent of executive agency certified projects reviewed

monthly for compliance and oversight requirements 100%

(b) Output: Amount of information technology savings, cost avoidance or

both realized through enterprise services and promotion of

multi-agency initiatives, in millions \$5

(2) Enterprise operations:

The purpose of the enterprise operations program is to provide reliable and secure infrastructure for voice, radio, video and data communications through the state's enterprise data center and telecommunications network.

Appropriations:

(a)	Personal services and		
	employee benefits	6,973.7	6,973.7
(b)	Contractual services	8,192.7	8,192.7
(c)	Other	19,555.2	19,555.2
(d)	Other financing uses	1,936.9	1,936.9

Authorized FTE: 99.00 Permanent

Performance measures:

(a) Output: Percent of servers successfully backed up as scheduled 100%

(b) Outcome: Percent of unscheduled downtime of the mainframe 0.01%

(3) Program support:

The purpose of program support is to provide management and ensure cost recovery and allocation services through leadership, policies, procedures and administrative support for the department.

Appropriations:

(a)	Personal services and		
	employee benefits	3,072.2	3,072.2
(b)	Contractual services	170.0	170.0
(c)	Other	253.0	253.0

Authorized FTE: 43.00 Permanent

Performance measures:

(a) Output: Percent of accounts receivable dollars collected within
sixty days of the invoice due date 95%

(b) Outcome: Dollar amount of account receivables over sixty days \$500,000

(c) Outcome: Percent of mainframe services meeting federal standards for cost recovery 95%

(d) Outcome: Percent of voice, data, and radio services meeting federal standards for cost recovery 95%

Subtotal 51,117.1

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION:

(1) Pension administration:

The purpose of the pension administration program is to provide information, retirement benefits and an actuarially sound fund to association members so they can receive the defined benefit they are entitled to when they retire from public service.

Appropriations:

(a)	Personal services and employee benefits	5,646.6	5,646.6
(b)	Contractual services	32,653.7	32,653.7
(c)	Other	1,288.7	1,288.7

Authorized FTE: 76.00 Permanent; 12.00 Term

The other state funds appropriation to the pension administration program of the public employees retirement association in the contractual services category includes twenty-nine million three hundred eighty-five thousand dollars (\$29,385,000) to be used only for investment manager fees.

The other state funds appropriation to the pension administration program of the public employees retirement association in the contractual services category includes one million four hundred thousand dollars (\$1,400,000) to be used only for fiscal agent custody services.

The other state funds appropriation to the pension administration program of the public employees retirement association in the contractual services category includes six hundred thousand dollars (\$600,000) to be used only for investment-related legal fees.

Performance measures:

(a) Outcome: Five-year average annualized investment returns to exceed internal benchmark, in basis points >50

(b) Outcome: Five-year annualized performance ranking in a national

survey of fifty to sixty similar large public pension plans
in the United States, as a percentile >49th

(c) Efficiency: Average number of days to respond to requests for benefit estimates, military buy-backs, and service credit verifications 30-45

(d) Explanatory: Number of years needed to finance the unfunded actuarial accrued liability for the public employees retirement fund with current statutory contribution rates 30 or less

Subtotal 39,589.0

STATE COMMISSION OF PUBLIC RECORDS:

(1) Records, information and archival management:

The purpose of the records, information and archival management program is to develop, implement and provide tools, methodologies and services for the benefit of government agencies, historical repositories and the public and to effectively create, preserve, protect and properly dispose of records and facilitate their use and understanding and protect the interests of the citizens of New Mexico.

Appropriations:

(a) Personal services and				
employee benefits	2,424.5	52.2	10.5	2,487.2
(b) Contractual services	153.0	9.1		162.1
(c) Other	382.4	119.9	502.3	

Authorized FTE: 40.00 Permanent; 2.00 Term

Performance measures:

(a) Outcome: Maximum number of days between rule effective date and online availability 34

Subtotal 3,151.6

SECRETARY OF STATE:

The purpose of the secretary of state program is to provide voter education and information on election law and government ethics to citizens, public officials, candidates, and commercial and business entities so they can comply with state law.

Appropriations:

(a)	Personal services and		
	employee benefits	2,632.8	2,632.8
(b)	Contractual services	693.7	693.7
(c)	Other	889.2 450.0	1,339.2

Authorized FTE: 42.00 Permanent; 1.00 Temporary

Performance measures:

- (a) Outcome: Percent of new voting machines tested 100%
- (b) Output: Number of newly registered voters 50,000
- (c) Output: Number of training sessions provided to all county clerks
on changes to the Election Code 2

Subtotal 4,665.7

PERSONNEL BOARD:

(1) Human resource management:

The purpose of the human resource management program is to provide through a flexible merit system opportunities, appropriate compensation, human resource accountability and employee development that meet the evolving needs of the agencies, employees, applicants and the public so economy and efficiency in the management of state affairs may be provided while protecting the interests of the public.

Appropriations:

(a)	Personal services and		
	employee benefits	4,253.6	4,253.6
(b)	Contractual services	36.5	36.5
(c)	Other	315.5 60.0	375.5

Authorized FTE: 65.00 Permanent

Any unexpended balances in the state employee career development conference fund remaining at the end of fiscal year 2009 shall not revert to the general fund.

Performance measures:

- (a) Outcome: Average employee pay as a percent of board-approved comparator market, based on legislative authorization 99%
- (b) Outcome: Average number of days to fill a vacant position 90
- (c) Outcome: Percent of large agencies that incorporate the state personnel office core management training objectives into their agency-specific management training 100%
- (d) Outcome: Percent of managers in medium to small agencies who successfully complete the management and supervision training sponsored by the state personnel office 80%
- (e) Outcome: Percent of union grievances resolved prior to formal arbitration 95%
- (f) Outcome: Percent of new employees who successfully complete their probationary period 85%
- (g) Outcome: Number of rule compliance review audits performed during the fiscal year 5
- (h) Output: Percent of eligible employees with a completed performance appraisal on record at the close of the fiscal year 99%
- (i) Output: Number of personnel system review audits performed during the fiscal year 4
- (j) Output: Percent of rule compliance review audit exceptions

corrected within six months of discovery 100%

Subtotal 4,665.6

PUBLIC EMPLOYEES LABOR RELATIONS BOARD:

The purpose of the public employee labor relations board is to assure all state and local public body employees have the right to organize and bargain collectively with their employers or to refrain from such.

Appropriations:

(a)	Personal services and		
	employee benefits	253.0	253.0
(b)	Contractual services	4.5	4.5
(c)	Other	84.7	84.7
	Authorized FTE: 3.00 Permanent		
Subtotal			342.2

STATE TREASURER:

The purpose of the state treasurer is to provide a financial environment that maintains maximum accountability for receipt, investment and disbursement of public funds to protect the financial interests of New Mexico citizens.

Appropriations:

(a)	Personal services and		
	employee benefits	3,171.7	3,171.7
(b)	Contractual services	401.0	20.0 421.0
(c)	Other	938.7	938.7
	Authorized FTE: 42.00 Permanent		

Performance measures:

(a) Outcome: One-year annualized investment return on general fund portfolio to exceed internal benchmarks, in basis points 5

(b) Outcome: One-year annualized investment return on local government

investment pool to exceed internal benchmark, in basis
 points 5

Subtotal		4,531.4		
TOTAL GENERAL CONTROL	201,747.9	368,680.1	908,070.5	17,878.1
	1,496,376.6			

D. COMMERCE AND INDUSTRY

BOARD OF EXAMINERS FOR ARCHITECTS:

(1) Architectural registration:

The purpose of the architectural registration program is to safeguard life and property and promote the public welfare by reviewing evidence of the professional qualification of any person applying to practice architecture in New Mexico.

Appropriations:

(a)	Personal services and		
	employee benefits	250.3	250.3
(b)	Contractual services	14.4	14.4
(c)	Other	84.3	84.3
	Authorized FTE: 4.00 Permanent		
Subtotal		349.0	

BORDER AUTHORITY:

(1) Border development:

The purpose of the border development program is to encourage and foster development of the state by developing port facilities and infrastructure at international ports of entry to attract new industries and businesses to the New Mexico border and to assist industries, businesses and the traveling public in their efficient and effective use of ports and related facilities.

Appropriations:

(a)	Personal services and		
	employee benefits	377.4	377.4

(b)	Contractual services	76.0	76.0
(c)	Other	113.2	113.2

Authorized FTE: 5.00 Permanent

Performance measures:

(a) Outcome: Annual trade share of New Mexico ports within the west

Texas and New Mexico region 3%

Subtotal 566.6

TOURISM DEPARTMENT:

(1) Marketing and promotion:

The purpose of the marketing and promotion program is to produce and provide collateral, editorial and special events for the consumer and trade so that they may increase their awareness of New Mexico as a premier tourist destination.

Appropriations:

(a)	Personal services and employee benefits	1,796.2	1,796.2
(b)	Contractual services	367.2	367.2
(c)	Other	5,131.9 85.0	5,216.9

Authorized FTE: 39.50 Permanent; 1.00 Term

The general fund appropriation to the marketing and promotion program of the tourism department in the other category includes fifty thousand dollars (\$50,000) to promote cultural tourism.

The general fund appropriation to the marketing and promotion program of the tourism department in the other category includes four million dollars (\$4,000,000) for direct marketing, promotion and advertising, of which one hundred thousand dollars (\$100,000) shall be used on statewide advertising efforts with the state parks division of the energy, minerals and natural resources department and one hundred thousand dollars (\$100,000) shall be used on statewide advertising efforts with the cultural affairs department.

Performance measures:

(a) Outcome: New Mexico's domestic tourism market share 1.25%

(b) Output: Print advertising conversion rate 25%

(c) Output: Broadcast conversion rate 34%

(d) Explanatory: Number of visits to visitor information centers 1,100,000

(2) Tourism development:

The purpose of the tourism development program is to provide constituent services for communities, regions and other entities so that they may identify their needs and assistance can be provided to locate resources to fill those needs, whether internal or external to the organization.

Appropriations:

(a) Personal services and

employee benefits	238.0	238.0	476.0
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(b) Contractual services	20.0	155.0	175.0
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(c) Other	1,264.4	894.2	2,158.6
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Authorized FTE: 7.00 Permanent

The general fund appropriation to the tourism development program of the tourism department in the other category includes one million dollars (\$1,000,000) for the cooperative advertising program.

Performance measures:

(a) Outcome: Pounds of litter removed 4,500,000

(b) Outcome: Number of partnered cooperative advertising applications
received 35

(c) Efficiency: Number of off-highway vehicle trails developed 3

(3) New Mexico magazine:

The purpose of the New Mexico magazine program is to produce a monthly magazine and ancillary products for a state and global audience so that the audience can learn about New Mexico from cultural, historical and educational perspectives.

Appropriations:

(a) Personal services and

employee benefits	1,143.9	1,143.9
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(b) Contractual services	952.9	952.9
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(c) Other 2,321.8 2,321.8

Authorized FTE: 17.00 Permanent

Performance measures:

(a) Outcome: Relative qualified circulation ±1%

(b) Outcome: Circulation rate 109,000

(c) Output: Advertising revenue per issue, in thousands \$125

(4) Sports authority:

The purpose of the New Mexico sports authority is to recruit new events and retain existing events for professional and amateur sports to advance the economy and tourism in the state.

Appropriations:

(a) Personal services and
employee benefits 241.1 241.1

(b) Contractual services 76.5 76.5

(c) Other 185.6 185.6

Authorized FTE: 3.00 Permanent

Performance measures:

(a) Outcome: Number of new major sporting events attracted to New Mexico 1

(b) Outcome: Number of new minor sporting events attracted to New Mexico 8

(5) Program support:

The purpose of program support is to provide administrative assistance to support the department's programs and personnel so they may be successful in implementing and reaching their strategic initiatives and maintaining full compliance with state rules and regulations.

Appropriations:

(a) Personal services and
employee benefits 1,382.6 1,382.6

(b) Contractual services 76.8 76.8

(c) Other 556.5 556.5

Authorized FTE: 19.00 Permanent

Subtotal 17,127.6

ECONOMIC DEVELOPMENT DEPARTMENT:

(1) Economic development:

The purpose of the economic development program is to assist communities in preparing their role in the new economy, focusing on high-quality job creation and improved infrastructure, so New Mexicans can increase their wealth and improve their quality of life.

Appropriations:

(a) Personal services and

employee benefits 1,968.4 1,968.4

(b) Contractual services 1,567.0 100.0 1,667.0

(c) Other 225.3 225.3

Authorized FTE: 28.00 Permanent

The general fund appropriation to the economic development program of the economic development department in the contractual services category includes an additional one hundred fifty thousand dollars (\$150,000) for manufacturing extension services, contingent on the receipt of money from the national institute of standards and technology to operate a manufacturing center in New Mexico that is approved by the national institute of standards and technology.

Performance measures:

(a) Outcome: Total number of rural jobs created 1,500

(b) Outcome: Total number of jobs created through business relocations

facilitated by the economic development partnership 2,200

(c) Outcome: Percent of employees whose wages were subsidized by the job

training incentive program still employed by the company

after one year 60%

(d) Outcome: Annual net increase in jobs created due to economic

development department efforts 6,000

(e) Outcome: Number of jobs created by mainstreet 250

(2) Film:

The purpose of the film program is to maintain the core business for film location services and stimulate growth in digital film media to maintain the economic vitality of the New Mexico film industry.

Appropriations:

(a) Personal services and

employee benefits	784.9	784.9
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(b) Contractual services	195.0	195.0
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(c) Other	397.9	397.9
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Authorized FTE: 12.00 Permanent

Performance measures:

(a) Outcome: Number of films and media projects principally made in New

Mexico 80

(b) Output: Number of media industry worker days 175,000

(3) Mexican affairs:

The purpose of the Mexican affairs program is to produce new high-paying employment opportunities for New Mexicans so they can increase their wealth and improve their quality of life.

Appropriations:

(a) Personal services and

employee benefits	272.4	272.4
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(b) Contractual services	180.5	180.5
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(c) Other	105.8	105.8
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Authorized FTE: 4.00 Permanent

The general fund appropriation to the Mexican affairs program of the economic development department in the contractual services category includes forty thousand dollars (\$40,000) for economic development

workshops with the North American institute and sixty thousand dollars (\$60,000) for border area economic development through the binational sustainability laboratory.

Performance measures:

(a) Outcome: Dollar value of New Mexico exports to Mexico as a result of the Mexican affairs program, in millions \$350

(4) Technology commercialization:

The purpose of the technology commercialization program is to increase the start-up, relocation and growth of technology-based businesses in New Mexico to give New Mexico citizens the opportunity for high- paying jobs.

Appropriations:

(a)	Personal services and		
	employee benefits	242.6	242.6
(b)	Other	33.9	33.9

Authorized FTE: 3.00 Permanent

Performance measures:

(a) Outcome: Amount of investment as a result of office of science and technology efforts, in millions \$10

(b) Output: Number of new angel investors found as a result of office of science and technology efforts 12

(5) Program support:

The purpose of program support is to provide central direction to agency management processes and fiscal support to agency programs to ensure consistency, continuity and legal compliance.

Appropriations:

(a)	Personal services and		
	employee benefits	1,696.6	1,696.6
(b)	Contractual services	1,658.0	1,658.0

(c) Other 286.9 286.9

Authorized FTE: 23.00 Permanent

Subtotal 9,715.2

REGULATION AND LICENSING DEPARTMENT:

(1) Construction industries and manufactured housing:

The purpose of the construction industries and manufactured housing program is to provide code compliance oversight; issue licenses, permits and citations; perform inspections; administer examinations; process complaints; and enforce laws and rules relating to general construction and manufactured housing standards to industry professionals.

Appropriations:

(a) Personal services and			
employee benefits	8,121.4		8,121.4
(b) Contractual services	74.0		74.0
(c) Other	1,825.4	350.0	109.0 2,284.4

Authorized FTE: 135.00 Permanent; 3.00 Term

Performance measures:

(a) Output: Percent of consumer complaint cases resolved out of the
total number of complaints filed 90%

(b) Efficiency: Percent of reviews of commercial plans completed within a
standard time based on valuation of project 90%

(2) Financial institutions and securities:

The purpose of the financial institutions and securities program is to issue charters and licenses; perform examinations; investigate complaints; enforce laws and rules; and promote investor protection and confidence so that capital formation is maximized and a secure financial infrastructure is available to support economic development.

Appropriations:

(a) Personal services and

	employee benefits	2,756.0	128.0	2,884.0
(b)	Contractual services	8.8	198.5	207.3
(c)	Other	441.2	168.1	609.3

Authorized FTE: 46.00 Permanent

Performance measures:

- (a) Outcome: Percent of statutorily complete applications processed
within a standard number of days by type of application 93%
- (b) Outcome: Percent of examination reports mailed to a depository
institution within thirty days of exit from the institution
or the exit conference meeting 100%

(3) Alcohol and gaming:

The purpose of the alcohol and gaming program is to regulate the sale, service and public consumption of alcoholic beverages; regulate the holding, operating and conducting of certain games of chance by licensing qualified people; and, in cooperation with the department of public safety, enforce the Liquor Control Act and the Bingo and Raffle Act to protect the health, safety and welfare of the citizens of and visitors to New Mexico.

Appropriations:

(a)	Personal services and			
	employee benefits	922.9		922.9
(b)	Contractual services	62.4		62.4
(c)	Other	74.0	74.0	

Authorized FTE: 16.00 Permanent

Performance measures:

- (a) Output: Number of days to resolve an administrative citation 46
- (b) Outcome: Number of days to issue new or transfer liquor licenses 125

(4) Program support:

The purpose of program support is to provide leadership and centralized direction, financial management, information systems support and human resources support for all agency organizations in compliance with governing regulations, statutes and procedures so they can license qualified applicants, verify compliance with statutes and resolve or mediate consumer complaints.

Appropriations:

(a)	Personal services and				
	employee benefits	1,898.7	65.6	695.3	2,659.6
(b)	Contractual services	168.5		80.5	249.0
(c)	Other	397.7	329.2	726.9	

Authorized FTE: 35.70 Permanent; 1.00 Term

(5) New Mexico state board of public accountancy:

The purpose of the state board of public accountancy program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and			
	employee benefits		272.8	272.8
(b)	Contractual services		20.0	20.0
(c)	Other	137.5		137.5
(d)	Other financing uses		67.7	67.7

Authorized FTE: 5.00 Permanent

(6) Board of acupuncture and oriental medicine:

The purpose of the acupuncture and oriental medicine board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and			
	employee benefits		158.6	158.6

(b)	Contractual services		19.2	19.2
(c)	Other	16.1	16.1	
(d)	Other financing uses		16.1	16.1

Authorized FTE: 3.20 Permanent

Performance measures:

(a) Output: Average number of days to process completed application and issue a license 5

(7) New Mexico athletic commission:

The purpose of the athletic commission program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits		70.4	70.4
(b)	Contractual services		14.0	14.0
(c)	Other	21.7	21.7	
(d)	Other financing uses		23.0	23.0

Authorized FTE: 1.00 Permanent

Performance measures:

(a) Output: Average number of days to process a completed application and issue a license 5

(8) Athletic trainer practice board:

The purpose of the athletic trainer practice board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a) Personal services and

	employee benefits	11.1	11.1
(b)	Contractual services	0.9	0.9
(c)	Other	6.4	6.4
(d)	Other financing uses	2.9	2.9

Authorized FTE: .20 Permanent

Performance measures:

(a) Output: Average number of days to process a completed application
and issue a license 5

(9) Board of barbers and cosmetologists:

The purpose of the barbers and cosmetologists board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	613.6	613.6
(b)	Contractual services	54.0	54.0
(c)	Other	84.3	84.3
(d)	Other financing uses	140.4	140.4

Authorized FTE: 12.90 Permanent

Performance measures:

(a) Output: Average number of days to process a completed application
and issue a license 5

(10) Chiropractic board:

The purpose of the chiropractic board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	122.3	122.3
(b)	Contractual services	1.6	1.6
(c)	Other 25.6	25.6	
(d)	Other financing uses	18.4	18.4

Authorized FTE: 2.10 Permanent

(11) Counseling and therapy practice board:

The purpose of the counseling and therapy practice board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	278.6	278.6
(b)	Contractual services	15.5	15.5
(c)	Other 107.4	107.4	
(d)	Other financing uses	67.1	67.1

Authorized FTE: 5.90 Permanent

(12) New Mexico board of dental health care:

The purpose of the dental health care board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	301.8	301.8
(b)	Contractual services	21.7	21.7
(c)	Other 60.7	60.7	
(d)	Other financing uses	64.1	64.1

Authorized FTE: 5.90 Permanent

Performance measures:

- (a) Output: Average number of days to process a completed application
and issue a license 5

(13) Interior design board:

The purpose of the interior design board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

- | | | | |
|-----|--|------|------|
| (a) | Personal services and
employee benefits | 10.9 | 10.9 |
| (b) | Other | 11.5 | 11.5 |
| (c) | Other financing uses | 6.7 | 6.7 |

Authorized FTE: .20 Permanent

(14) Board of landscape architects:

The purpose of the landscape architects board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

- | | | | |
|-----|--|------|------|
| (a) | Personal services and
employee benefits | 21.9 | 21.9 |
| (b) | Contractual services | 0.3 | 0.3 |
| (c) | Other | 10.6 | 10.6 |
| (d) | Other financing uses | 4.6 | 4.6 |

Authorized FTE: .30 Permanent

(15) Massage therapy board:

The purpose of the massage therapy board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	185.3	185.3
(b)	Contractual services	18.0	18.0
(c)	Other	48.8	48.8
(d)	Other financing uses	37.9	37.9

Authorized FTE: 3.50 Permanent

(16) Board of nursing home administrators:

The purpose of the nursing home administrators board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	34.4	34.4
(b)	Contractual services	0.2	0.2
(c)	Other	8.2	8.2
(d)	Other financing uses	7.3	7.3

Authorized FTE: .60 Permanent

(17) Nutrition and dietetics practice board:

The purpose of the nutrition and dietetics practice board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	20.7	20.7
(b)	Other	12.2	12.2

(c)	Other financing uses	3.2	3.2
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Authorized FTE: .30 Permanent

(18) Board of examiners for occupational therapy:

The purpose of the occupational therapy practice board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	44.6	44.6
(b)	Contractual services	2.0	2.0
(c)	Other	17.6	17.6
(d)	Other financing uses	9.3	9.3

Authorized FTE: .60 Permanent

Performance measures:

(a) Output: Average number of days to process a completed application
and issue a license 5

(19) Board of optometry:

The purpose of the optometry board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	44.9	44.9
(b)	Contractual services	11.5	11.5
(c)	Other	12.8	12.8
(d)	Other financing uses	9.4	9.4

Authorized FTE: .80 Permanent

Performance measures:

- (a) Output: Average number of days to process a completed application
and issue a license 5

(20) Board of osteopathic medical examiners:

The purpose of the osteopathic medical examiners board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	66.0	66.0
(b)	Contractual services	2.0	2.0
(c)	Other 24.4	24.4	
(d)	Other financing uses	8.3	8.3

Authorized FTE: 1.00 Permanent

(21) Board of pharmacy:

The purpose of the pharmacy board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	1,130.7	1,130.7
(b)	Contractual services	30.9	30.9
(c)	Other 242.3	242.3	
(d)	Other financing uses	263.7	263.7

Authorized FTE: 12.00 Permanent

Performance measures:

- (a) Output: Average number of days to process a completed application

and issue a license 5

(b) Efficiency: Average number of hours to respond to telephone complaints
24

(22) Physical therapy board:

The purpose of the physical therapy board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	90.3	90.3
(b)	Contractual services	3.0	3.0
(c)	Other	26.5	26.5
(d)	Other financing uses	19.1	19.1

Authorized FTE: 1.60 Permanent

(23) Board of podiatry:

The purpose of the podiatry board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	19.2	19.2
(b)	Contractual services	0.5	0.5
(c)	Other	10.8	10.8
(d)	Other financing uses	3.7	3.7

Authorized FTE: .30 Permanent

(24) Private investigations advisory board:

The purpose of the private investigations advisory board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	74.8	74.8
(b)	Contractual services	5.0	5.0
(c)	Other	30.8	30.8
(d)	Other financing uses	23.9	23.9

Authorized FTE: 1.40 Permanent

(25) New Mexico state board of psychologist examiners:

The purpose of the psychologist examiners board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and employee benefits	116.5	116.5
(b)	Contractual services	20.0	20.0
(c)	Other	44.1	44.1
(d)	Other financing uses	34.4	34.4

Authorized FTE: 2.30 Permanent

Performance measures:

(a) Output: Average number of days to process a completed application
and issue a license 5

(26) Real estate appraisers board:

The purpose of the real estate appraisers board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a) Personal services and

	employee benefits	97.3	97.3
(b)	Contractual services	12.5	12.5
(c)	Other	34.7	34.7
(d)	Other financing uses	26.4	26.4

Authorized FTE: 2.10 Permanent

(27) New Mexico real estate commission:

The purpose of the real estate commission program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	535.9	535.9
(b)	Contractual services	261.5	261.5
(c)	Other	251.0	251.0
(d)	Other financing uses	277.6	277.6

Authorized FTE: 11.00 Permanent

(28) Advisory board of respiratory care practitioners:

The purpose of the respiratory care board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	52.1	52.1
(b)	Other	6.3	6.3
(c)	Other financing uses	9.6	9.6

Authorized FTE: .80 Permanent

(29) Board of social work examiners:

The purpose of the social work examiners board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	253.4	253.4
(b)	Contractual services	3.0	3.0
(c)	Other	84.8	84.8
(d)	Other financing uses	47.7	47.7

Authorized FTE: 5.00 Permanent

(30) Speech language pathology, audiology and hearing aid dispensing practices board:

The purpose of the speech language pathology, audiology and hearing aid dispensing practices board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	122.8	122.8
(b)	Contractual services	2.7	2.7
(c)	Other	21.2	21.2
(d)	Other financing uses	23.3	23.3

Authorized FTE: 2.00 Permanent

(31) Board of thanatopractice:

The purpose of the thanatopractice board program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring that licensed professionals are qualified to practice.

Appropriations:

(a)	Personal services and		
	employee benefits	83.3	83.3

(b)	Contractual services		7.5	7.5
(c)	Other	30.3	30.3	
(d)	Other financing uses		18.1	18.1

Authorized FTE: 1.80 Permanent

Performance measures:

(a) Output: Average number of days to process a completed application and issue a license 5

(32) Naprapathic practice board:

Appropriations:

(a)	Contractual services		5.4	5.4
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(33) Animal sheltering services board:

Appropriations:

(a)	Personal services and employee benefits	145.7	122.5	268.2
(b)	Contractual services		8.0	8.0
(c)	Other	28.5	28.5	
(d)	Other financing uses		21.0	21.0

Authorized FTE: 4.60 Permanent

(34) Signed language interpreting practices board:

Appropriations:

(a)	Personal services and employee benefits		105.9	105.9
(b)	Contractual services		8.0	8.0
(c)	Other	45.2	45.2	

(d) Other financing uses 20.9 20.9

Authorized FTE: 2.40 Permanent

Subtotal 27,370.5

PUBLIC REGULATION COMMISSION:

(1) Policy and regulation:

The purpose of the policy and regulation program is to fulfill the constitutional and legislative mandates regarding regulated industries through rulemaking, adjudication and policy initiatives to ensure the provisions of adequate and reliable services at fair, just and reasonable rates so that the interests of the consumers and regulated industries are balanced to promote and protect the public interest.

Appropriations:

(a) Personal services and

employee benefits 7,176.6 152.0 7,328.6

(b) Contractual services 256.1 256.1

(c) Other 809.8 809.8

Authorized FTE: 89.70 Permanent

The internal service funds/interagency transfers appropriation to the policy and regulation program of the public regulation commission in the personal services and employee benefits category includes fifty thousand dollars (\$50,000) from the pipeline safety fund and one hundred two thousand dollars (\$102,000) from the insurance operations fund.

Performance measures:

(a) Outcome: Comparison of average commercial electric rates between

major New Mexico utilities and selected utilities in

regional western states ±5%

(b) Outcome: Comparison of average residential electric rates between

major New Mexico utilities and selected utilities in

regional western states ±5%

(c) Outcome: The amount of kilowatt hours of renewable energy provided

annually by New Mexico's electric utilities, measured as a percent of total retail kilowatt hours sold by New Mexico's electric utilities to New Mexico's retail electric utility customers 6%

(d) Efficiency: Average number of days for a rate case to reach final order <230

(2) Insurance policy:

The purpose of the insurance policy program is to assure easy public access to reliable insurance products that meet consumers' needs and are underwritten by dependable, reputable, financially sound companies that charge fair rates and are represented by trustworthy, qualified agents, while promoting a positive competitive business climate.

Appropriations:

(a)	Personal services and		
	employee benefits	6,037.6	6,037.6
(b)	Contractual services	446.5	446.5
(c)	Other	1,061.4	1,061.4

Authorized FTE: 88.00 Permanent

The internal service funds/interagency transfers appropriations to the insurance policy program of the public regulation commission include forty-two thousand four hundred dollars (\$42,400) from the title insurance maintenance assessment fund, one hundred six thousand one hundred dollars (\$106,100) from the insurance fraud fund, four hundred seventy-nine thousand seven hundred dollars (\$479,700) from the agents' surcharge fund, two hundred forty-nine thousand two hundred dollars (\$249,200) from the patient's compensation fund, and five million one hundred thirty-nine thousand five hundred dollars (\$5,139,500) from the insurance operations fund.

The internal service funds/interagency transfers appropriations to the insurance policy program of the public regulation commission include one million one hundred forty-nine thousand two hundred dollars (\$1,149,200) for the insurance fraud bureau from the insurance fraud fund.

The internal service funds/interagency transfers appropriations to the insurance policy program of the public regulation commission include three hundred seventy-nine thousand four hundred dollars (\$379,400) for the title insurance bureau from the title insurance maintenance assessment fund.

Performance measures:

(a) Output: Percent of internal and external insurance-related

grievances closed within one hundred eighty days of filing 90%

(b) Efficiency: Percent of insurance fraud bureau complaints processed and recommended for either further administrative action or closure within sixty days 85%

(3) Public safety:

The purpose of the public safety program is to provide services and resources to the appropriate entities to enhance their ability to protect the public from fire and pipeline hazards and other risks as assigned to the public regulation commission.

Appropriations:

(a) Personal services and employee benefits	3,139.4	370.9	3,510.3
(b) Contractual services	333.1	16.4	349.5
(c) Other	1,998.5	209.4	2,207.9

Authorized FTE: 52.30 Permanent; 1.00 Term

The internal service funds/interagency transfers appropriations to the public safety program of the public regulation commission include two million five hundred twenty-three thousand nine hundred dollars (\$2,523,900) for the office of the state fire marshal from the fire protection fund.

The internal service funds/interagency transfers appropriations to the public safety program of the public regulation commission include one million seven hundred forty-six thousand three hundred dollars (\$1,746,300) for the firefighter training academy from the fire protection fund.

The internal service funds/interagency transfers appropriations to the public safety program of the public regulation commission include eight hundred ninety-five thousand dollars (\$895,000) for the pipeline safety bureau from the pipeline safety fund.

Performance measures:

(a) Outcome: Percent of statewide fire districts with insurance office ratings of eight or better 75%

(b) Outcome: Percent of fire departments' insurance service office ratings of nine or ten that have been reviewed by survey or audit 90%

(c) Output: Number of personnel completing training through the state

firefighter training academy 4,000

(4) Program support:

The purpose of program support is to provide administrative support and direction to ensure consistency, compliance, financial integrity and fulfillment of the agency mission.

Appropriations:

(a) Personal services and

employee benefits	2,698.5	418.6	3,117.1
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(b) Contractual services	95.4	14.7	110.1
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(c) Other	396.7	65.4	462.1
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Authorized FTE: 53.00 Permanent

The internal service funds/interagency transfers appropriations to program support of the public regulation commission include two hundred ninety-five thousand dollars (\$295,000) from the fire protection fund, eighty-five thousand four hundred dollars (\$85,400) from the insurance fraud fund, sixty-two thousand four hundred dollars (\$62,400) from the reproduction fund, forty thousand five hundred dollars (\$40,500) from the title insurance maintenance assessment fund, and fifteen thousand four hundred dollars (\$15,400) from the patient's compensation fund.

(5) Patient's compensation fund:

Appropriations:

(a) Contractual services		435.0	435.0
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(b) Other	10,050.0		10,050.0
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(c) Other financing uses		264.6	264.6
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Subtotal		36,446.6	
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MEDICAL BOARD:

(1) Licensing and certification:

The purpose of the licensing and certification program is to provide regulation and licensure to medical doctors, physician assistants and anesthesiologist assistants and to ensure competent and ethical medical care to consumers.

Appropriations:

(a) Personal services and

	employee benefits	956.3	956.3
(b)	Contractual services	325.9	325.9
(c)	Other	305.0	305.0

Authorized FTE: 13.00 Permanent

Performance measures:

(a) Output: Number of tri-annual physician licenses issued or renewed 3,623

(b) Output: Number of biennial physician assistant licenses issued or renewed 294

(c) Outcome: Number of days to issue a physician license 80

Subtotal 1,587.2

BOARD OF NURSING:

(1) Licensing and certification:

The purpose of the licensing and certification program is to provide regulations to nurses, hemodialysis technicians, medication aides and their education and training programs so they can provide competent and professional healthcare services to consumers.

Appropriations:

(a)	Personal services and		
	employee benefits	1,188.6	1,188.6
(b)	Contractual services	213.5	213.5
(c)	Other	543.4	543.4

Authorized FTE: 19.00 Permanent

Performance measures:

(a) Output: Number of licenses issued 13,400

Subtotal 1,945.5

NEW MEXICO STATE FAIR:

The purpose of the state fair program is to promote the New Mexico state fair as a year-round operation with venues, events and facilities that provide for greater use of the assets of the agency.

Appropriations:

(a)	Personal services and				
	employee benefits	90.0	6,751.5		6,841.5
(b)	Contractual services	248.0	3,582.3		3,830.3
(c)	Other	70.0	3,943.0	695.0	4,708.0

Authorized FTE: 78.00 Permanent

The internal service funds/interagency transfers appropriation to the New Mexico state fair in the other category includes six hundred ninety-five thousand dollars (\$695,000) from parimutuel revenues for debt service on negotiable bonds issued for capital improvements.

The general fund appropriation to the New Mexico state fair includes four hundred eight thousand dollars (\$408,000) for the operation of the African-American performing arts center and exhibit hall at the New Mexico state fair.

Performance measures:

(a) Outcome: Percent of surveyed attendees at the annual state fair

event rating their experience as satisfactory or better 94%

(b) Output: Number of paid attendees at annual state fair event 550,000

(c) Output: Percent of surveyed attendees at the annual state fair

event indicating the state fair has improved 48%

(d) Output: Number of total attendees at annual state fair event 750,000

Subtotal 15,379.8

STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND SURVEYORS:

(1) Regulation and licensing:

The purpose of the regulation and licensing program is to regulate the practices of engineering and surveying in the state as they relate to the welfare of the public in safeguarding life, health and property and to provide consumers with licensed professional engineers and licensed professional surveyors.

Appropriations:

(a)	Personal services and employee benefits	335.6	335.6
(b)	Contractual services	80.1	80.1
(c)	Other	234.2	234.2

Authorized FTE: 7.00 Permanent

Performance measures:

(a) Output: Number of licenses or certifications issued 600

Subtotal 649.9

GAMING CONTROL BOARD:

(1) Gaming control:

The purpose of the gaming control program is to provide strictly regulated gaming activities and to promote responsible gaming to the citizens of New Mexico so they can attain a strong level of confidence in the board's administration of gambling laws and assurance that the state has honest and competitive gaming free from criminal and corruptive elements and influences.

Appropriations:

(a)	Personal services and employee benefits	4,268.1	4,268.1
(b)	Contractual services	740.7	740.7
(c)	Other	1,370.6	1,370.6

Authorized FTE: 63.00 Permanent; .50 Temporary

Performance measures:

(a) Outcome: Ratio of gaming revenue generated to general funds expended 22:1

(b) Output: Percent variance identified between actual tribal quarterly payments to the state and the audited financial statements received from the tribe for 2008 calendar year <10%

(c) Quality: Percent of time central monitoring system is operational 100%

Subtotal 6,379.4

STATE RACING COMMISSION:

(1) Horseracing regulation:

The purpose of the horse racing regulation program is to provide regulation in an equitable manner to New Mexico's parimutuel horse racing industry and to protect the interest of wagering patrons and the state of New Mexico in a manner that promotes a climate of economic prosperity for horsemen, horse owners and racetrack management.

Appropriations:

(a)	Personal services and		
	employee benefits	1,177.4	1,177.4
(b)	Contractual services	925.0	925.0
(c)	Other	291.7	291.7

Authorized FTE: 17.30 Permanent; .60 Term; 1.80 Temporary

Performance measures:

(a) Outcome: Percent of equine samples testing positive for illegal

substances 0.8%

(b) Efficiency: Average regulatory cost per live race day at each racetrack
\$4,000

Subtotal 2,394.1

BOARD OF VETERINARY MEDICINE:

(1) Veterinary licensing and regulatory:

The purpose of the veterinary licensing and regulatory program is to regulate the profession of veterinary medicine in accordance with the Veterinary Practice Act and to promote continuous improvement in veterinary practices and management in order to protect the public.

Appropriations:

(a)	Personal services and		
	employee benefits	150.7	150.7

(b)	Contractual services		94.5	94.5
(c)	Other	54.1	54.1	

Authorized FTE: 3.00 Permanent

Performance measures:

(a) Output: Number of veterinarian licenses issued annually 70

Subtotal 299.3

CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION:

The purpose of the Cumbres and Toltec scenic railroad commission is to provide railroad excursions into the scenic San Juan mountains.

Appropriations:

(a)	Personal services and				
	employee benefits	68.6	68.6	137.2	
(b)	Contractual services	10.9	3,413.0	10.8	3,434.7
(c)	Other	20.5	20.6	41.1	

Authorized FTE: 2.90 Permanent

Any revenues generated by the Cumbres and Toltec scenic railroad commission in fiscal year 2009, such as ticket sales, are appropriated to the Cumbres and Toltec scenic railroad commission for use toward operating expenses of the railroad.

Subtotal 3,613.0

OFFICE OF MILITARY BASE PLANNING AND SUPPORT:

The purpose of the office of military base planning and support is to provide advice to the governor and lieutenant governor on New Mexico's four military installations, to work with community support groups, to ensure that state initiatives are complementary of community actions and to identify and address appropriate state-level issues that will contribute to the long-term viability of New Mexico military installations.

Appropriations:

(a)	Personal services and			
	employee benefits	108.4		108.4

(b)	Contractual services	20.0	20.0
(c)	Other 25.9	25.9	

Authorized FTE: 1.00 Term

Performance measures:

(a) Outcome: Number of community support organizations benefitting from the activities of the commission and the office 3

Subtotal 154.3

SPACEPORT AUTHORITY:

The purpose of the spaceport authority is to finance, design, develop, construct, equip and safely operate spaceport America and thereby generate significant high technology economic development throughout the state.

Appropriations:

(a)	Personal services and employee benefits	517.3	517.3
(b)	Contractual services	25.0	25.0
(c)	Other 121.3	121.3	

Authorized FTE: 5.00 Permanent

Performance measures:

(a) Outcome: Annual aerospace jobs created due to spaceport authority efforts 150

(b) Output: Number of visitors to the x-prize cup 50,000

Subtotal 663.6

TOTAL COMMERCE AND INDUSTRY	59,947.8	46,953.7	17,034.4	705.7
	124,641.6			

E. AGRICULTURE, ENERGY AND NATURAL RESOURCES

CULTURAL AFFAIRS DEPARTMENT:

(1) Museums and monuments:

The purpose of the museums and monuments program is to develop and enhance the quality of state museums and monuments by providing the highest standards in exhibitions, performances and programs showcasing the arts, history and science of New Mexico and cultural traditions worldwide.

Appropriations:

(a) Personal services and

employee benefits	16,343.4	2,361.3	44.2	18,748.9
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(b) Contractual services	1,164.3	715.6	20.8	1,900.7
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(c) Other	5,064.4	1,555.7		6,620.1
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Authorized FTE: 329.00 Permanent; 48.30 Term

The general fund appropriation to the museums and monuments program of the cultural affairs department in the contractual services category includes one hundred thousand dollars (\$100,000) for planning and implementing the Santa Fe international folk art market.

Performance measures:

(a) Output: Attendance to museum and monument exhibitions,

performances, films and other presenting programs	805,000
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(b) Output: Number of participants to off-site educational, outreach

and special events related to museum missions	95,000
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(c) Output: Number of participants at on-site educational, outreach and

special events related to museum missions	325,000
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(2) Preservation:

The purpose of the preservation program is to identify, study and protect New Mexico's unique cultural resources, including its archaeological sites, architectural and engineering achievements, cultural landscapes and diverse heritage.

Appropriations:

(a) Personal services and

employee benefits	913.8	734.4	1,935.0	819.5	4,402.7
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(b)	Contractual services	1.3	180.0	200.0	381.3
(c)	Other	71.0	249.6	361.1	681.7

Authorized FTE: 35.00 Permanent; 40.50 Term; 6.00 Temporary

The internal service funds/interagency transfers appropriations to the preservation program of the cultural affairs department include one million four hundred thousand dollars (\$1,400,000) from the department of transportation for archaeological studies related to highway projects.

Performance measures:

- (a) Outcome: Percent of grant funds from recurring appropriations distributed to communities outside of Santa Fe, Albuquerque and Las Cruces 63%
- (b) Output: Number of participants in educational, outreach and special events related to preservation mission 5,800
- (c) Output: Dollar value of construction underway on historic buildings using state and federal tax credits, in millions \$4.4
- (d) Output: Annually completed number of historic structures preserved, using preservation tax credits 47

(3) Library services:

The purpose of the library services program is to empower libraries to support the educational, economic and health goals of their communities and to deliver direct library and information services to those who need them.

Appropriations:

(a)	Personal services and employee benefits	2,227.0	961.4	3,188.4	
(b)	Contractual services	951.0	739.8	1,690.8	
(c)	Other	903.3	35.0	448.1	1,386.4

Authorized FTE: 42.00 Permanent; 19.50 Term

Performance measures:

- (a) Outcome: Percent of grant funds from recurring appropriations distributed to communities outside of Santa Fe, Albuquerque and Las Cruces 75%
- (b) Output: Total number of library materials catalogued in system wide access to libraries in state agencies and keystone library automation system online databases, available through the internet 995,000
- (c) Output: Number of participants in educational, outreach and special events related to library mission 20,700

(4) Arts:

The purpose of the arts program is to preserve, enhance and develop the arts in New Mexico through partnerships, public awareness and education.

Appropriations:

- (a) Personal services and employee benefits 833.8 146.4 980.2
- (b) Contractual services 1,125.9 403.6 1,529.5
- (c) Other 135.8 135.8

Authorized FTE: 11.50 Permanent; 4.50 Term

Performance measures:

- (a) Output: Number of professional organizations supported throughout New Mexico for arts activities 166
- (b) Outcome: Percent of grant funds from recurring appropriations distributed to communities outside of Santa Fe, Albuquerque

and Las Cruces 35%

(c) Output: Number of clients provided professional development training in arts industry 4,000

(d) Output: Attendance at programs provided by arts organizations statewide, funded by New Mexico arts from recurring appropriations 1,500,000

(e) Output: Number of musicians, music groups and businesses supporting the music industry who have registered on nmmusic.org website 1,000

(f) Output: Number of participants in educational and outreach programs and workshops, including participants from rural areas 4,300

(g) Output: Number of individuals or businesses provided training in establishing and marketing arts-based cottage industries 1,000

(5) Program support:

The purpose of program support is to deliver effective, efficient, high-quality services in concert with the core agenda of the governor.

Appropriations:

(a)	Personal services and employee benefits	3,462.2	3,462.2
(b)	Contractual services	545.9 2.8	548.7
(c)	Other	393.6 27.2	420.8

Authorized FTE: 45.70 Permanent; 2.00 Temporary

Any unexpended balances in the cultural affairs department remaining at the end of fiscal year 2009 from appropriations made from the general fund shall not revert.

Performance measures:

(a) Output: Percent reduction in number of budget adjustment requests processed annually, excluding budget adjustment requests for additional revenues 5%

(b) Outcome: Percent of performance targets in the General Appropriation Act, met (excluding this measure) 80%

Subtotal 46,078.2

NEW MEXICO LIVESTOCK BOARD:

(1) Livestock inspection:

The purpose of the livestock inspection program is to protect the livestock industry from loss of livestock by theft or straying and to help control the spread of dangerous diseases of livestock.

Appropriations:

(a)	Personal services and		
	employee benefits	921.3 2,708.9	3,630.2
(b)	Contractual services	252.1	252.1
(c)	Other	888.1	888.1

Authorized FTE: 64.50 Permanent

Performance measures:

(a) Outcome: Number of livestock thefts reported per one thousand head inspected 1

(b) Output: Number of road stops per month 90

(2) Meat inspection:

The purpose of the meat inspection program is to provide meat inspection service to meat processors and slaughterers to assure consumers of clean, wholesome and safe products.

Appropriations:

(a) Personal services and

	employee benefits	182.6		182.6
(b)	Contractual services		6.7	6.7
(c)	Other	69.7	103.3	173.0

Authorized FTE: 8.50 Permanent

(3) Administration:

The purpose of the administration program is to provide administrative and logistical services to employees.

Appropriations:

(a)	Personal services and			
	employee benefits	132.7	454.0	586.7
(b)	Contractual services		37.4	37.4
(c)	Other	180.5		180.5

Authorized FTE: 8.00 Permanent

[Beginning in fiscal year 2009,] the New Mexico livestock board shall submit vouchers to the department of finance and administration [~~and shall not be granted non-vouchering status~~].

Subtotal 5,937.3

DEPARTMENT OF GAME AND FISH:

(1) Sport hunting and fishing:

The purpose of the sport hunting and fishing program is to provide a statewide system for hunting activities as well as self-sustaining and hatchery-supported fisheries, taking into account hunter safety, quality hunts, high-demand areas, guides and outfitters, quotas and ensuring that local and financial interests receive consideration.

Appropriations:

(a)	Personal services and				
	employee benefits	10.0	7,074.3	5,687.9	12,772.2
(b)	Contractual services		691.3	598.9	1,290.2
(c)	Other	85.0	3,563.0	1,890.2	5,538.2

(d) Other financing uses 124.3 373.0 497.3

Authorized FTE: 193.00 Permanent; 2.00 Term; 2.00 Temporary

Performance measures:

(a) Outcome: Angler opportunity and success 80%

(b) Outcome: Number of days of elk hunting opportunity provided to New Mexico resident hunters on an annual basis 165,000

(c) Outcome: Percent of public hunting licenses drawn by New Mexico resident hunters 80%

(d) Output: Annual output of fish from the department's hatchery system, in pounds 425,000

(2) Conservation services:

The purpose of the conservation services program is to provide information and technical guidance to any person wishing to conserve and enhance wildlife habitat and recover indigenous species of threatened and endangered wildlife.

Appropriations:

(a) Personal services and employee benefits 198.1 808.2 1,551.2 2,557.5

(b) Contractual services 20.0 517.6 1,002.8 1,540.4

(c) Other 20.0 5.0 2,676.4 946.0 3,647.4

Authorized FTE: 32.00 Permanent; 8.00 Term; .50 Temporary

Performance measures:

(a) Outcome: Number of acres of wildlife habitat conserved, enhanced or positively affected statewide 100,000

(b) Output: Number of recreational days of access provided by gaining access into nature project 10,000

(3) Wildlife depredation and nuisance abatement:

The purpose of the wildlife depredation and nuisance abatement program is to provide complaint administration and intervention processes to private landowners, leaseholders and other New Mexicans so they may be relieved of and precluded from property damage, annoyances or risks to public safety caused by protected wildlife.

Appropriations:

(a)	Personal services and			
	employee benefits	339.1	339.1	
(b)	Contractual services		128.7	128.7
(c)	Other	727.3	727.3	

Authorized FTE: 5.00 Permanent

Performance measures:

(a) Outcome: Percent of depredation complaints resolved within one year 95%

(4) Program support:

The purpose of program support is to provide an adequate and flexible system of direction, oversight, accountability and support to all divisions so they may successfully attain planned outcomes for all department programs.

Appropriations:

(a)	Personal services and				
	employee benefits	4,340.9	110.8	4,451.7	
(b)	Contractual services		568.7	17.5	586.2
(c)	Other	2,123.0	110.0	2,233.0	

Authorized FTE: 59.00 Permanent; 1.00 Term

Performance measures:

(a) Output: Percent of special hunt applications processed without error 99.8%

Subtotal 36,309.2

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT:

(1) Renewable energy and energy efficiency:

The purpose of the renewable energy and energy efficiency program is to develop and implement clean energy programs in order to decrease per capita energy consumption; use New Mexico's substantial renewable energy resources; minimize local, regional and global air emissions; lessen dependence on foreign oil; and reduce in-state water demands associated with fossil-fueled electrical generation.

Appropriations:

(a)	Personal services and			
	employee benefits	1,198.6	138.0	1,336.6
(b)	Contractual services	3.4	457.5	460.9
(c)	Other	2.1	203.6	205.7

Authorized FTE: 13.00 Permanent; 2.00 Term

Performance measures:

- (a) Outcome: Percent reduction in energy use in public facilities receiving energy efficiency retrofit projects through the Energy Efficiency and Renewable Energy Bonding Act, the Public Facilities Energy Efficiency Act, the Water Conservation Act or the clean energy projects program 15%
- (b) Outcome: Percent of total transportation fuels used by state agencies produced from renewable sources 10%
- (c) Outcome: Percent of retail electricity sales from investor-owned utilities in New Mexico from renewable energy sources 10%

(2) Healthy forests:

The purpose of the healthy forests program is to promote the health of New Mexico's forest lands by managing wildfires, mitigating urban interface fire threats and providing stewardship of private and state forest lands and associated watersheds.

Appropriations:

- (a) Personal services and

	employee benefits	3,054.7	216.5	962.7	4,233.9
(b)	Contractual services	119.6	2.0	1,296.7	1,418.3
(c)	Other	606.9	443.2	1,852.8	2,902.9

Authorized FTE: 59.00 Permanent; 11.00 Term

Performance measures:

(a) Outcome: Percent of at-risk communities participating in collaborative wildfire protection planning 25%

(b) Output: Number of nonfederal wildland firefighters provided professional and technical incident command system training 500

(c) Output: Number of acres restored in New Mexico's forests and watersheds 8,000

(3) State parks:

The purpose of the state parks program is to create the best recreational opportunities possible in state parks by preserving cultural and natural resources, continuously improving facilities and providing quality, fun activities and to do it all efficiently.

Appropriations:

(a)	Personal services and				
	employee benefits	10,626.2	2,313.6	663.9	13,603.7
(b)	Contractual services	362.2	250.5	3,033.6	3,646.3
(c)	Other	2,083.1	5,155.5	2,620.3	2,909.3
(d)	Other financing uses		2,659.1		2,659.1

Authorized FTE: 239.00 Permanent; 6.00 Term; 48.00 Temporary

Performance measures:

(a) Outcome: Percent of visitors satisfied with state parks 80%

(b) Output: Number of interpretive programs available to park visitors 2,600

(c) Explanatory: Number of visitors to state parks 4,000,000

(d) Explanatory: Self-generated revenue per visitor, in dollars \$0.87

(4) Mine reclamation:

The purpose of the mine reclamation program is to implement the state laws that regulate the operation and reclamation of hard rock and coal mining facilities and to reclaim abandoned mine sites.

Appropriations:

(a) Personal services and

employee benefits	446.9	745.7	1,399.1	2,591.7
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(b) Contractual services	14.4	26.7	2,290.2	2,331.3
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(c) Other	49.2	134.4	167.7	351.3
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Authorized FTE: 16.00 Permanent; 15.00 Term

Performance measures:

(a) Outcome: Percent of permitted mines with approved reclamation plans

and adequate financial assurance posted to cover the cost

of reclamation 100%

(b) Output: Percent of abandoned uranium mines with current site

assessments 20%

(5) Oil and gas conservation:

The purpose of the oil and gas conservation program is to assure the conservation and responsible development of oil and gas resources through professional and dynamic regulation.

Appropriations:

(a) Personal services and

employee benefits	3,612.2	428.7	357.6	4,398.5
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(b) Contractual services	142.9	3,000.0		3,142.9
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(c) Other	476.0	13.7	80.0	16.2	585.9
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(d) Other financing uses 104.2 104.2

Authorized FTE: 63.00 Permanent; 5.00 Term

Performance measures:

(a) Outcome: Percent increase in the amount of water diverted from disposal for other uses 10%

(b) Output: Number of inspections of oil and gas wells and associated facilities 23,500

(c) Output: Number of inactive wells 120

(6) Program leadership and support:

The purpose of program leadership and support is to provide leadership, set policy and provide support for every division in achieving their goals.

Appropriations:

(a) Personal services and employee benefits 3,648.1 213.8 221.2 4,083.1

(b) Contractual services 22.8 22.8

(c) Other 491.1 491.1

(d) Other financing uses 1,500.0 1,500.0

Authorized FTE: 46.00 Permanent; 3.00 Term

Subtotal 62,838.4

YOUTH CONSERVATION CORPS:

The purpose of the youth conservation corps program is to provide funding for the employment of New Mexicans between the ages of fourteen and twenty-five to work on projects that will improve New Mexico's natural, cultural, historical and agricultural resources.

Appropriations:

(a) Personal services and employee benefits 146.3 146.3

(b)	Contractual services		2,512.4		2,512.4
(c)	Other	66.7	66.7		
(d)	Other financing uses		50.0		50.0

Authorized FTE: 2.00 Permanent

Performance measures:

(a) Outcome: Percent of projects completed within one year 95%

(b) Output: Number of youth employed annually 625

Subtotal 2,775.4

INTERTRIBAL CEREMONIAL OFFICE:

The purpose of the intertribal ceremonial office is to aid in the planning, coordination and development of an intertribal ceremonial event in coordination with the Native American population in order to host a successful event.

Appropriations:

(a)	Personal services and				
	employee benefits	86.1	20.0		106.1
(b)	Contractual services		63.0		63.0
(c)	Other	10.6		10.6	

Authorized FTE: 2.00 Permanent

Performance measures:

(a) Output: Number of intertribal ceremonial tickets sold 16,000

Subtotal 179.7

COMMISSIONER OF PUBLIC LANDS:

(1) Land trust stewardship:

The purpose of the land trust stewardship program is to generate sustainable revenue from state trust lands to support public education and other beneficiary institutions and to build partnerships with all New Mexicans to conserve, protect and maintain the highest level of stewardship for these lands so that they may be a significant legacy for generations to come.

Appropriations:

(a)	Personal services and employee benefits	10,259.5	10,259.5
(b)	Contractual services	858.2	858.2
(c)	Other	2,104.4	2,104.4
(d)	Other financing uses	502.7	502.7

Authorized FTE: 155.00 Permanent

The commissioner of public lands is authorized to hold in suspense amounts received pursuant to agreements entered into for the sale of state royalty interests that, as a result of the sale, became eligible for tax credits under Section 29 of the Internal Revenue Code, above those amounts required by law to be transferred to the land grant permanent fund. The commissioner may expend as much of the money held in suspense, as well as additional money held in escrow accounts resulting from the sales and money held in fund balance, as is necessary to repurchase the royalty interests pursuant to the agreements.

Performance measures:

- (a) Output: Total trust revenue generated, in millions \$433.8
- (b) Outcome: Bonus income per leased acre from oil and gas activities \$297.43
- (c) Outcome: Dollars generated through oil, natural gas and mineral
audit activities, in millions \$3.5
- (d) Output: Average income per acre from oil, natural gas and mineral
activities \$141.29
- (e) Output: Average income per acre from agriculture leasing activities \$0.82
- (f) Output: Average income per acre from commercial leasing activities \$12.50
- (g) Output: Percent of total trust revenue generated allocated to
beneficiaries 97%

Subtotal 13,724.8

STATE ENGINEER:

(1) Water resource allocation:

The purpose of the water resource allocation program is to provide for efficient use of the available surface and underground waters of the state to all New Mexicans so they can maintain their quality of life and to provide safety inspections of all nonfederal dams within the state, to owners and operators of such dams, so they can operate the dam safely.

Appropriations:

(a)	Personal services and				
	employee benefits	10,890.7	441.2		11,331.9
(b)	Contractual services	601.7	1.3	439.0	1,042.0
(c)	Other	1,279.1	101.0	138.4	1,518.5

Authorized FTE: 184.50 Permanent

Performance measures:

(a) Outcome: Number of transactions abstracted annually into the water

administration technical engineering resource system

database 22,000

(b) Output: Average number of protested and aggrieved applications

processed per month 9

(c) Explanatory: Number of unprotested and unaggrieved water right

applications backlogged 630

(d) Explanatory: Number of protested and aggrieved water rights backlogged 300

(e) Output: Average number of unprotested new and pending applications

processed per month 80

(2) Interstate stream compact compliance and water development:

The purpose of the interstate stream compact compliance and water development program is to provide resolution of federal and interstate water issues and to develop water resources and stream systems for the people of New Mexico so they can have maximum sustained beneficial use of available water resources.

Appropriations:

(a)	Personal services and employee benefits	4,000.3	197.1	4,197.4	
(b)	Contractual services	2,773.9	12.0	3,077.2	5,863.1
(c)	Other	88.1	2,830.0	2,918.1	

Authorized FTE: 54.00 Permanent

Revenue from the sale of water to United States government agencies by New Mexico for the emergency drought water agreement dated April 2003, which expires February 28, 2013, and from contractual reimbursements associated with state engineer use of the revenue is appropriated to the state engineer for the conservation and recovery of the listed species in the middle Rio Grande basin, including the optimizing of middle Rio Grande conservancy district operations.

Revenue from the sale of water to United States government agencies by New Mexico resulting from litigation settlement between New Mexico and the United States implemented by the conservation water agreement dated June 29, 2001, and from contractual reimbursements associated with state engineer use of the revenue is appropriated to the state engineer for use as required by the conservation water agreement.

The other state funds appropriations to the interstate stream compact compliance and water development program of the state engineer includes one hundred thousand dollars (\$100,000) from the game protection fund for Ute dam operation. Any unexpended balances remaining at the end of fiscal year 2009 from this appropriation shall revert to the game protection fund.

The appropriations to the interstate stream compact compliance and water development program of the state engineer include (1) one million nine hundred thousand dollars (\$1,900,000) to (a) match seventeen and one-half percent of the cost of work undertaken by the United States army corps of engineers pursuant to the Federal Water Resources Development Act of 1986, provided that no amount of this appropriation shall be expended for any project unless the appropriate acequia system or community ditch has agreed to provide seven and one-half percent of the cost from any source other than the irrigation works construction fund or improvement of the Rio Grande income fund and provided that no more than two hundred fifty thousand dollars (\$250,000) shall be allocated to one acequia per fiscal year, and (b) for the construction, improvement, repair and protection from floods of dams, reservoirs, ditches, flumes and appurtenances of community ditches in the state through the interstate stream commission 80/20 program, provided that not more than one hundred twenty thousand dollars (\$120,000) of this appropriation shall be used for any one community ditch and that state funds other than loans may be used to meet the association's twenty percent share of the total cost of the project; and (2) two hundred thousand dollars (\$200,000) for engineering services for approved acequia projects.

The interstate stream commission's authority to make loans for irrigation improvements includes five hundred thousand dollars (\$500,000) for loans to acequia, irrigation and conservancy districts. The interstate stream commission's authority also includes five hundred thousand dollars (\$500,000) for loans to irrigation districts, conservancy districts and soil and water conservation districts for re-loan to farmers for implementation of water conservation improvements.

The interstate stream commission's authority to make loans from the New Mexico irrigation works construction fund includes two million dollars (\$2,000,000) to irrigation districts, acequias, conservancy

districts and soil and water conservation districts for purchase and installation of meters and measuring equipment. The maximum loan term is five years.

The other state funds appropriations to the interstate stream compact compliance and water development program of the state engineer in the other category include eighty-two thousand three hundred dollars (\$82,300) from the game protection fund for Eagle Nest dam operation.

Performance measures:

(a) Outcome: Cumulative state-line delivery credit per the Pecos river

compact and amended decree at the end of calendar year, in
acre feet (final accounting will be available at end of
fiscal year) 0

(b) Outcome: Rio Grande river compact accumulated delivery credit or

deficit at end of calendar year, in acre feet 0

(3) Litigation and adjudication:

The purpose of the litigation and adjudication program is to obtain a judicial determination and definition of water rights within each stream system and underground basin to effectively perform water- rights administration and meet interstate stream obligations.

Appropriations:

(a) Personal services and

employee benefits	1,913.5	2,981.2	4,894.7
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(b) Contractual services	50.0	1,681.0	1,731.0
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(c) Other	143.6	232.0	375.6
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Authorized FTE: 72.00 Permanent

The appropriation to the litigation and adjudication program of the state engineer includes two million nine hundred eighty-one thousand two hundred dollars (\$2,981,200) from the water project fund pursuant to Section 72-4(A)-9 NMSA 1978.

Performance measures:

(a) Outcome: Number of offers to defendants in adjudications 1,000

(b) Outcome: Percent of all water rights that have judicial

determinations 42%

(4) Program support:

The purpose of program support is to provide necessary administrative support to the agency programs so they may be successful in reaching their goals and objectives.

Appropriations:

(a) Personal services and

employee benefits	3,527.7		3,527.7
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(b) Contractual services	37.4	120.5	157.9
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(c) Other	168.6	343.4	512.0
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Authorized FTE: 44.00 Permanent

Performance measures:

(a) Output: Percent of department contracts that include performance

measures 100%

(5) New Mexico irrigation works construction fund:

Appropriations:

(a) Other financing uses	8,087.4	8,087.4
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(6) Improvement of Rio Grande income fund:

Appropriations:

(a) Other financing uses	930.2	930.2
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Subtotal	47,087.5	
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ORGANIC COMMODITY COMMISSION:

(1) New Mexico organic:

The purpose of the New Mexico organic program is to provide consumers of organic products in New Mexico with credible assurance about the veracity of organic claims made and to enhance the development of local economies tied to agriculture through rigorous regulatory oversight of the organic industry in New Mexico and through ongoing educational and market assistance projects.

Appropriations:

(a)	Personal services and employee benefits	225.5		225.5
(b)	Contractual services	4.0	84.4	88.4
(c)	Other	73.4	4.0	77.4

Authorized FTE: 4.00 Permanent

Performance measures:

(a) Outcome: Percent increase in New Mexico organic market as measured
by clients' gross sales of organic products 10%

(b) Output: Percent of organic farms inspected annually 100%

Subtotal 391.3

TOTAL AGRICULTURE, ENERGY AND

NATURAL RESOURCES 88,071.7 52,350.1 40,439.6 34,460.4
215,321.8

F. HEALTH, HOSPITALS AND HUMAN SERVICES

COMMISSION ON THE STATUS OF WOMEN:

(1) Status of women:

The purpose of the status of women program is to provide information, public events, leadership, support services and career development to individuals, agencies and women's organizations so they can improve the economic, health and social status of women in New Mexico.

Appropriations:

(a)	Personal services and employee benefits	503.9	416.4	920.3
(b)	Contractual services	27.9	10.0	761.5
(c)	Other	268.0	50.0	262.1

Authorized FTE: 8.00 Permanent; 8.00 Term

The general fund appropriation to the status of women program of the commission on the status of women in the other category includes fifty thousand dollars (\$50,000) to support the governor's women's health council.

The internal service funds/interagency transfers appropriations to the status of women program of the commission on the status of women include one million four hundred forty thousand dollars (\$1,440,000) for the teamworks program directed toward workforce development for adult women on temporary assistance for needy families from the federal block grant to New Mexico.

The other state funds appropriations to the status of women program of the commission on the status of women include ten thousand dollars (\$10,000) from the women in transition fund to host conferences and seminars and associated expenses and fifty thousand dollars (\$50,000) from the commission on the status of women conference fund to host the governor's award for outstanding New Mexico women, the pioneer award, the trailblazer award and various conference booths.

Revenue collected from ticket sales in excess of expenses for conferences, awards programs, seminars and summits shall not revert.

Performance measures:

(a) Outcome: Number of paid employment teamworks placements 500

(b) Outcome: Percent of teamworks participants employed at nine months
after initial employment placement 70%

(c) Output: Number of temporary assistance for needy families clients
served through the teamworks program 1,100

Subtotal 2,299.8

OFFICE OF AFRICAN AMERICAN AFFAIRS:

(1) Public awareness:

The purpose of the public awareness program is to provide information and advocacy services to all New Mexicans and to empower African Americans of New Mexico to improve their quality of life.

Appropriations:

(a) Personal services and
employee benefits 340.2 340.2

(b) Contractual services 283.9 283.9

(c) Other 223.2 223.2

Authorized FTE: 5.00 Permanent

Subtotal 847.3

COMMISSION FOR DEAF AND HARD-OF-HEARING PERSONS:

(1) Deaf and hard-of-hearing:

The purpose of the deaf and hard-of-hearing program is to provide outreach, referral, education and oversight of the New Mexico telecommunications relay network for deaf and hard-of-hearing citizens, government agencies, institutions, businesses and hearing individuals affiliated with those who have a hearing loss so they may become more aware of accessibility and services available and have equal access to telecommunications services.

Appropriations:

(a)	Personal services and employee benefits	848.2	848.2	
(b)	Contractual services	833.3	1,641.7	2,475.0
(c)	Other	355.1	355.1	
(d)	Other financing uses		455.0	455.0

Authorized FTE: 15.00 Permanent

The internal service funds/interagency transfers appropriation to the deaf and hard-of-hearing program of the commission for deaf and hard-of-hearing persons in the other financing uses category includes two hundred seventy-five thousand dollars (\$275,000) to transfer to the rehabilitation services program of the division of vocational rehabilitation to match with federal funds to provide deaf and hard-of-hearing rehabilitation services.

The internal service funds/interagency transfers appropriation to the deaf and hard-of-hearing program of the commission for deaf and hard-of-hearing persons in the other financing uses category includes one hundred eighty thousand dollars (\$180,000) to transfer to the signed language interpreting practices board program of the regulation and licensing department.

Performance measures:

- (a) Output: Number of information referrals, outreach and clients served 12,500
- (b) Output: Hours provided by the sign language interpreter referral
service 40,000
- (c) Output: Number of accessible technology equipment distributions 1,750

Subtotal 4,133.3

MARTIN LUTHER KING, JR. COMMISSION:

The purpose of the Martin Luther King, Jr. commission is to promote Martin Luther King, Jr.'s nonviolent principles and philosophy to the people of New Mexico through remembrance, celebration and action so that everyone gets involved in making a difference toward the improvement of interracial cooperation and reduction of youth violence in our communities.

Appropriations:

- (a) Personal services and
employee benefits 199.8 199.8
- (b) Contractual services 47.4 47.4
- (c) Other 156.8 156.8

Authorized FTE: 3.00 Permanent

Subtotal 404.0

COMMISSION FOR THE BLIND:

(1) Blind services:

The purpose of the blind services program is to assist blind or visually impaired citizens of New Mexico to achieve economic and social equality so they can have independence based on their personal interests and abilities.

Appropriations:

- (a) Personal services and
employee benefits 875.0 414.1 3,745.2 5,034.3
- (b) Contractual services 40.0 167.4 207.4
- (c) Other 1,185.2 1,747.5 2,932.7

Authorized FTE: 106.50 Permanent; 1.00 Term

Any unexpended balances in the commission for the blind remaining at the end of fiscal year 2009 from appropriations made from the general fund shall not revert.

Performance measures:

(a) Output: Number of quality employment opportunities for blind or visually impaired consumers	45	
(b) Output: Number of blind or visually impaired consumers trained in the skills of blindness to enable them to live independently in their homes and communities	600	
(c) Outcome: Average employment wage for the blind or visually impaired person	\$14	
(d) Output: Number of employment opportunities provided for blind business entrepreneurs in different vending and food facilities through the business enterprise program	32	
Subtotal		8,174.4

INDIAN AFFAIRS DEPARTMENT:

(1) Indian affairs:

The purpose of the Indian affairs program is to serve as the coordinating agency for intergovernmental and interagency programs concerning tribal governments and the state.

Appropriations:

(a) Personal services and employee benefits	1,273.0	1,273.0
(b) Contractual services	367.7	367.7
(c) Other	1,919.0 538.9	2,457.9

Authorized FTE: 15.00 Permanent

The other state funds appropriation to the Indian affairs program of the Indian affairs department includes five hundred thousand dollars (\$500,000) from the tobacco settlement program fund for tobacco cessation and prevention programs for Native American communities throughout the state.

The general fund appropriation to the Indian affairs program of the Indian affairs department in the other category includes four hundred ten thousand dollars (\$410,000) for the leadership institute and summer policy academy at the Santa Fe Indian school.

Performance measures:

- (a) Output: Number of capital projects over fifty thousand dollars (\$50,000) completed and closed 60
- (b) Output: Number of capital outlay process training sessions conducted for tribes 10
- (c) Output: Percent of grants and service contracts with more than two performance measures 100%
- (d) Output: Number of capital outlay projects under fifty thousand dollars (\$50,000) completed and closed 70

Subtotal 4,098.6

AGING AND LONG-TERM SERVICES DEPARTMENT:

(1) Consumer and elder rights:

The purpose of the consumer and elder rights program is to provide current information, assistance, counseling, education and support to older individuals and persons with disabilities, residents of long-term care facilities and their families and caregivers that allow them to protect their rights and make informed choices about quality service.

Appropriations:

- (a) Personal services and employee benefits 705.1 59.4 805.0 1,569.5
- (b) Contractual services 42.1 61.0 103.1
- (c) Other 209.8 18.8 262.1 490.7

Authorized FTE: 17.50 Permanent; 6.50 Term

Performance measures:

- (a) Outcome: Number of individuals calling the resource center in need of two or more daily living services who receive information, referral and follow-up services 5,000

(b) Output: Number of ombudsman cases resolved 6,100

(c) Output: Number of persons accessing the aging and long-term services department's resource center 10,000

(2) Aging network:

The purpose of the aging network program is to provide supportive social and nutrition services for older individuals and persons with disabilities so they can remain independent and involved in their communities and to provide training, education and work experience to older individuals so they can enter or re-enter the workforce and receive appropriate income and benefits.

Appropriations:

(a) Personal services and

employee benefits	313.6	32.0		345.6
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(b) Contractual services			15.0	15.0
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(c) Other	27,936.1	43.0	362.3	7,396.8	35,738.2
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(d) Other financing uses			187.6	187.6
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Authorized FTE: 5.00 Permanent

The general fund appropriation to the aging network program of the aging and long-term services department in the other category to supplement the federal Older Americans Act shall be contracted to the designated area agencies on aging.

The general fund appropriation to the aging network program of the aging and long-term services department in the other category includes seven hundred fifty thousand dollars (\$750,000) to support and expand aging network services to local communities and three hundred thousand dollars (\$300,000) to expand senior meal services.

~~[By December 31, 2008, the aging and long-term services department shall report to the department of finance and administration and the legislative finance committee on steps taken by the department to increase the number of seniors receiving meal services, improve the nutritional quality of meals and improve the cost effectiveness of senior congregate and home-delivered meal programs.]~~

Any unexpended balances remaining at the end of fiscal year 2009 in other state funds from conference registration fees shall not revert.

Performance measures:

(a) Outcome: Percent of individuals participating in the federal older

worker program obtaining unsubsidized permanent employment	20.5%
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(b) Outcome: Percent of temporary assistance for needy families clients placed in meaningful employment 40%

(c) Output: Number of adult daycare service hours provided 160,000

(d) Output: Number of hours of respite care provided 150,000

(e) Output: Number of congregate meals provided through the aging network 1,700,000

(f) Output: Number of home-delivered meals provided through the aging network 2,000,000

(3) Long-term services:

The purpose of the long-term services program is to administer home- and community-based long-term service programs that support individuals in the least restrictive environment possible.

Appropriations:

(a)	Personal services and employee benefits	2,068.2	1,719.8	50.0	3,838.0
(b)	Contractual services	331.0	1,844.0	163.3	2,338.3
(c)	Other	635.6	436.9	62.9	1,135.4
(d)	Other financing uses	2,627.5			2,627.5

Authorized FTE: 61.00 Permanent; 1.00 Term

~~[By December 1, 2008, the aging and long-term services department and the human services department shall report to the department of finance and administration and legislative finance committee on implementation of coordinated long-term services, including enrollment, cost per client, administrative costs and projected savings.]~~

Performance measures:

(a) Outcome: Percent of disabled and elderly medicaid waiver clients who receive services within ninety days of eligibility determination 100%

(b) Outcome: Average number of months that individuals are on the disabled and elderly waiver registry prior to receiving an allocation for services 24

(c) Output: Number of individuals on the self-directed mi via waiver 400

(d) Output: Number of brain injury clients served through the self-directed waiver 125

(e) Output: Number of persons reintegrated from nursing homes into home- and community-based medicaid services 150

(4) Adult protective services:

The purpose of the adult protective services program is to investigate allegations of abuse, neglect and exploitation of seniors and adults with disabilities and provide in-home support services to adults at high risk of repeat neglect.

Appropriations:

(a)	Personal services and			
	employee benefits	8,820.3	8,820.3	
(b)	Contractual services	1,462.6	2,459.4	3,922.0
(c)	Other	3,031.1	50.0	3,081.1

Authorized FTE: 157.00 Permanent

Performance measures:

(a) Outcome: Percent of adults with repeat maltreatment 9%

(b) Outcome: Percent of cases closed within ninety days of referral 70%

(c) Output: Number of adults receiving adult protective services intervention 6,250

(5) Program support:

The purpose of program support is to provide clerical, record-keeping and administrative support in the areas of personnel, budget, procurement and contracting to agency staff, outside contractors and external control agencies to implement and manage programs.

Appropriations:

(a)	Personal services and				
	employee benefits	1,997.0	265.6	574.1	2,836.7
(b)	Contractual services	140.0	8.5	15.6	164.1
(c)	Other	209.8	113.6	54.8	378.2

Authorized FTE: 31.00 Permanent; 4.00 Term

Subtotal 67,591.3

HUMAN SERVICES DEPARTMENT:

(1) Behavioral health services:

The purpose of the behavioral health services program is to lead and oversee the provision of an integrated and comprehensive behavioral health prevention and treatment system so that the program fosters recovery and supports the health and resilience of all New Mexicans.

Appropriations:

(a)	Personal services and				
	employee benefits	1,693.4	470.1	200.6	2,364.1
(b)	Contractual services	42,602.7	739.9	16,688.3	60,030.9
(c)	Other	1,138.0	42.0	200.0	1,380.0
(d)	Other financing uses	279.4	1,538.6		1,818.0

Authorized FTE: 26.00 Permanent; 13.00 Term

The general fund appropriation to the behavioral health services program of the human services department in the contractual services category includes four hundred thousand dollars (\$400,000) for operating expenses at the Los Lunas substance abuse treatment center.

The general fund appropriation to the behavioral health services program of the human services department in the contractual services category includes three hundred sixty thousand dollars (\$360,000) for methamphetamine treatment in San Juan county.

Performance measures:

(a) Outcome: Percent of people receiving substance abuse treatment who demonstrate improvement on two or more domains on the addiction severity index for alcohol 79%

(b) Outcome: Suicide rate among adults age twenty and older per one hundred thousand (calendar year) 20

(c) Outcome: Suicide rate among children age fifteen to nineteen per one hundred thousand (calendar year) 14

(2) Medical assistance:

The purpose of the medical assistance program is to provide the necessary resources and information to enable low-income individuals to obtain either free or low-cost health care.

Appropriations:

(a)	Personal services and				
	employee benefits	4,162.2		6,619.8	10,782.0
(b)	Contractual services	5,437.0	1,477.0		28,231.0
		35,145.0			
(c)	Other	693,930.9	74,271.0	116,767.0	2,177,776.4
					3,062,745.3
(d)	Other financing uses	35.0	1,403.0	56,953.1	58,391.1

Authorized FTE: 151.00 Permanent; 11.00 Term

The other state funds appropriations to the medical assistance program of the human services department include four million three hundred thousand dollars (\$4,300,000) from the tobacco settlement program fund for breast and cervical cancer treatment and for medicaid program expenditures.

Performance measures:

(a) Outcome: Number of children receiving services in the medicaid school-based services program 17,500

(b) Output: Number of employers participating in state coverage insurance 375

- (c) Outcome: Percent of children in medicaid managed care receiving early and periodic screening, diagnosis and treatment services as measured by health care effectiveness data and information set 70%
- (d) Output: Percent of eligible children under age twenty-one who get healthcare coverage through medical assistance programs 2%
- (e) Output: Percent of eligible adults, with incomes below one hundred percent of federal poverty level, who get healthcare coverage through medical assistance programs 2%
- (f) Output: Percent of eligible children under age five who get health care coverage through medical assistance programs 2%
- (g) Outcome: Percent of children enrolled in medicaid managed care who have a dental exam as measured by healthcare effectiveness data and information set 50%
- (h) Outcome: Percent of age-appropriate women enrolled in medicaid managed care receiving breast cancer screenings as measured by healthcare effectiveness data and information set 53%
- (i) Outcome: Percent of age-appropriate women enrolled in medicaid managed care receiving cervical cancer screenings as measured by healthcare effectiveness data and information set 69%

(3) Medicaid behavioral health:

The purpose of the medicaid behavioral health program is to provide the necessary resources and information to enable low-income individuals to obtain either free or low-cost health care.

Appropriations:

(a) Other	94,918.0	228,457.0	323,375.0
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Performance measures:

(a) Outcome: Percent of readmissions to the same level of care or higher for individuals in managed care discharged from a residential treatment center 8%

(b) Outcome: Percent of children and adolescents receiving medicaid behavioral health services who are successful in school 72%

~~[(c) Outcome: Number of unique individuals in medicaid served in substance abuse or mental health programs 73,500]~~

(4) Income support:

The purpose of the income support program is to provide cash assistance and supportive services to eligible low-income families so they can achieve self-sufficiency.

Appropriations:

(a) Personal services and employee benefits	20,854.3	1,303.6	32,163.5	54,321.4
(b) Contractual services	3,060.6		21,235.3	24,295.9
(c) Other	25,597.3	2,226.0	381,382.9	409,206.2
(d) Other financing uses	20.0		43,903.3	43,923.3

Authorized FTE: 1,075.00 Permanent; 34.00 Term; 50.00 Temporary

The federal funds appropriations to the income support program of the human services department include nine million four hundred ninety thousand four hundred dollars (\$9,490,400) from the federal temporary assistance for needy families block grant for administration of the New Mexico Works Act.

The appropriations to the income support program of the human services department include nine million one hundred twenty-five thousand dollars (\$9,125,000) from the general fund and fifty-seven million eight hundred forty-seven thousand four hundred dollars (\$57,847,400) from the federal temporary assistance for needy families block grant to provide cash assistance grants to participants as defined in the New Mexico Works Act, including clothing allowances, one-time diversion payments and state-funded payments to aliens.

The federal funds appropriations to the income support program of the human services department include one million dollars (\$1,000,000) from the federal temporary assistance for needy families block grant to provide wage subsidies for participants.

The federal funds appropriations to the income support program of the human services department include fifteen million nine hundred twenty thousand dollars (\$15,920,000) from the federal temporary assistance for needy families block grant for support services: one million seven hundred twenty thousand dollars (\$1,720,000) for employment-related costs, eight hundred thousand dollars (\$800,000) for transportation services, six hundred thousand dollars (\$600,000) for a family-strengthening and fatherhood program, eight hundred thousand dollars (\$800,000) for a substance abuse program and twelve million dollars (\$12,000,000) for job training and placement.

The federal funds appropriations to the income support program of the human services department include forty-three million two hundred nine thousand three hundred dollars (\$43,209,300) from the federal temporary assistance for needy families block grant for the transfer of thirty-two million four hundred nineteen thousand three hundred dollars (\$32,419,300) to the children, youth and families department for childcare programs and three million six hundred thousand dollars (\$3,600,000) to the children, youth and families department for domestic violence programs, one million four hundred forty thousand dollars (\$1,440,000) to the commission on the status of women for the teamworks program, ~~three million dollars (\$3,000,000) to the public education department for the kindergarten-three-plus,~~ one million dollars (\$1,000,000) to the public education department for the pre-kindergarten program, one million dollars (\$1,000,000) to the children, youth and families department for the pre-kindergarten program and seven hundred fifty thousand dollars (\$750,000) to the aging and long-term services department for the gold mentor program.

The general fund appropriations to the income support program of the human services department include five million six hundred sixty-five thousand five hundred dollars (\$5,665,500) from the general fund and two million two hundred twenty-six thousand dollars (\$2,226,000) from other state funds for general assistance.

The general fund appropriations to the income support program of the human services department include two hundred eighteen thousand dollars (\$218,000) for the Navajo sovereign temporary assistance for needy families program.

The general fund appropriations to the income support program of the human services department include thirty-two thousand dollars (\$32,000) for the Zuni sovereign temporary assistance for needy families program.

~~[The human services department shall provide the department of finance and administration and the legislative finance committee quarterly reports on the expenditures of the federal temporary assistance for needy families block grant and the state maintenance-of-effort expenditures.]~~

Performance measures:

(a) Outcome: Percent of temporary assistance for needy families clients

who receive a job 60%

(b) Outcome: Percent of temporary assistance for needy families

participants who retain a job three or more months 78%

(c) Outcome: Percent of temporary assistance for needy families all parent recipients meeting federally required work participation requirements 50%

(d) Outcome: Percent of temporary assistance for needy families two-parent recipients meeting federally required work participation requirements 60%

(e) Outcome: Percent of expedited food stamp cases meeting federally required measure of timeliness within seven days 98%

(f) Output: Number of New Mexico works clients referred to one-stop programs 4,000

(g) Outcome: Number of New Mexico families receiving food stamps 95,150

(h) Outcome: Percent of regular food stamp cases meeting the federally required measure of timeliness within thirty days 97%

(5) Child support enforcement:

The purpose of the child support enforcement program is to provide location, establishment and collection services for custodial parents and their children to ensure that all court orders for support payments are being met to maximize child support collections and to reduce public assistance rolls.

Appropriations:

(a)	Personal services and				
	employee benefits	5,510.5	2,385.7	12,921.8	20,818.0
(b)	Contractual services	2,075.3	898.5	4,866.2	7,840.0
(c)	Other	1,305.5	568.1	2,990.7	4,864.3

Authorized FTE: 403.00 Permanent

Performance measures:

(a) Outcome: Percent of temporary assistance for needy families cases

- with court-ordered child support receiving collections 60%
- (b) Outcome: Amount of child support collected, in millions \$100
- (c) Outcome: Percent of current support owed that is collected 58%
- (d) Outcome: Percent of cases with support orders 69%
- (e) Outcome: Percent of children born out of wedlock with voluntary paternity acknowledgment 82%
- (f) Outcome: Percent of children with court-ordered medical support covered by private health insurance 40%
- (g) Efficiency: Percent of custodial parents receiving child support via electronic funds transfer 42%

(6) Program support:

The purpose of program support is to provide overall leadership, direction and administrative support to each agency program and to assist it in achieving its programmatic goals.

Appropriations:

- (a) Personal services and employee benefits 4,167.6 2,541.2 10,785.1 17,493.9
- (b) Contractual services 4,424.1 147.6 8,738.5 13,310.2
- (c) Other 4,646.8 816.6 9,869.7 15,333.1
- (d) Other financing uses 9.8 10.6 29.6 50.0

Authorized FTE: 253.00 Permanent

Performance measures:

- (a) Outcome: Percent of federal grant reimbursements completed that meet the federal standards for timeliness 90%
- (b) Outcome: Percent of invoices paid within thirty days of receipt of

the invoice 100%

(c) Outcome: Percent of audit findings that are material weaknesses 0%

(d) Outcome: Number of office of inspector general claims over
thirty-six months old 3,470

(e) Output: Percent of timely final decisions on administrative
disqualification hearings 100%

(f) Output: Number of days for the chief financial officer to certify
the accuracy of financial transactions after the close of
an accounting cycle 45

(g) Output: Percent of investigations referred to the office of the
inspector general completed within ninety days from the
date assigned 70%

Subtotal 4,167,487.7

WORKFORCE SOLUTIONS DEPARTMENT:

(1) Workforce transition services:

The purpose of the workforce transition services program is to administer an array of demand-driven workforce development services to prepare New Mexicans to meet the needs of business.

Appropriations:

(a) Personal services and employee benefits	2,580.7	1,496.5	11,389.1	15,466.3
(b) Contractual services	226.4	276.8	503.2	
(c) Other	669.4	374.1	2,059.0	3,102.5

Authorized FTE: 308.00 Permanent; 40.50 Term

The general fund appropriation to the workforce transition services program of the workforce solutions department in the other category includes two hundred fifty thousand dollars (\$250,000) to be transferred to the individual development fund to carry out the provisions of the Individual Development Account Act.

Performance measures:

- (a) Output: Percent of eligible unemployment insurance claims that will be issued a determination within twenty-one days from the date of claim 87%
- (b) Outcome: Percent of adults receiving workforce development services who have entered employment within one quarter of leaving job training services 83%
- (c) Outcome: Percent of dislocated workers receiving workforce development services who have entered employment within one quarter of leaving the program 86%
- (d) Output: Percent of adult Workforce Investment Act participants employed in the third quarter following the exit quarter 72%
- (e) Output: Percent of Workforce Investment Act dislocated worker participants employed in the third quarter following the exit quarter 75%

(2) Labor relations division:

The purpose of the labor relations program is to provide employment rights information and other work-site-based assistance to employers and employees.

Appropriations:

- (a) Personal services and employee benefits 1,172.6 228.6 490.8 230.0 2,122.0
- (b) Contractual services 64.5 45.1 109.6

(c) Other 200.5 429.3 200.7 20.0 850.5

Authorized FTE: 43.00 Permanent

The internal service/interagency transfers appropriations to the labor relations program of the workforce solutions department include six hundred ninety-one thousand five hundred dollars (\$691,500) from fund balances in the workers' compensation administration fund.

Performance measures:

(a) Outcome: Number of backlogged human rights commission hearings

pending each quarter <5

(b) Outcome: Percent of wage claims investigated and resolved within one

hundred twenty days 95%

(c) Output: Number of targeted public works inspections completed 1,775

(3) Workforce technology division:

The purpose of the workforce technology program is to provide and maintain customer-focused, effective and innovative information technology services for the workforce solutions department and its service providers that enables effective management and use of the department's operating systems and information technology architecture.

Appropriations:

(a) Personal services and

employee benefits 974.1 49.7 49.3 2,083.0 3,156.1

(b) Contractual services 255.2 13.0 12.9 545.8 826.9

(c) Other 293.4 14.9 15.0 627.5 950.8

Authorized FTE: 48.00 Permanent; 1.00 Term

Performance measures:

(a) Output: Average unemployment insurance call center wait time to

reach an agent, in minutes <5

(4) Business services division:

The purpose of the business services program is to provide standardized business solution strategies and labor market information through New Mexico public workforce system that is responsive to the needs of New Mexico businesses.

Appropriations:

(a)	Personal services and				
	employee benefits	301.1		1,778.7	2,079.8
(b)	Contractual services	30.5		291.1	321.6
(c)	Other	49.6	1,080.9	1,130.5	

Authorized FTE: 39.00 Permanent

Performance measures:

(a) Outcome: Percent of employers sampled reporting customer satisfaction 84%

(b) Output: Number of personal contacts made by field office personnel

with New Mexico businesses to inform them of available

services or provide actual services 20,000

(5) Program support:

The purpose of program support is to provide overall leadership, direction and administrative support to each agency program to achieve organizational goals and objectives.

Appropriations:

(a)	Personal services and				
	employee benefits	1,151.8	1,360.6	3,434.2	5,946.6
(b)	Contractual services	131.4	138.0	341.2	610.6
(c)	Other	209.0	157.6	66.2	18,921.6
					19,354.4

Authorized FTE: 103.00 Permanent; 1.00 Term

Subtotal 56,531.4

WORKERS' COMPENSATION ADMINISTRATION:

(1) Workers' compensation administration:

The purpose of the workers' compensation administration program is to arbitrate and administer the workers' compensation system to maintain a balance between workers' prompt receipt of statutory benefits and reasonable costs for employers.

Appropriations:

(a)	Personal services and employee benefits	9,007.8	9,007.8
(b)	Contractual services	352.6	352.6
(c)	Other	1,348.2	1,348.2
(d)	Other financing uses	691.5	691.5

Authorized FTE: 141.00 Permanent

Performance measures:

- (a) Output: Number of first reports of injury processed 40,000
- (b) Outcome: Percent of formal claims resolved without trial 90%
- (c) Output: Number of reviews of employers to ensure the employer has workers' compensation insurance 5,100

(2) Uninsured employers' fund:

Appropriations:

(a)	Contractual services	100.0	100.0
(b)	Other	1,069.1	1,069.1

Performance measures:

~~[(a) Outcome: Ratio of incurred claims over earned premiums <70%]~~

Subtotal 12,569.2

DIVISION OF VOCATIONAL REHABILITATION:

(1) Rehabilitation services:

The purpose of the rehabilitation services program is to promote opportunities for people with disabilities to become more independent and productive by empowering individuals with disabilities so they may

maximize their employment, economic self-sufficiency, independence and inclusion and integration into society.

Appropriations:

(a)	Personal services and				
	employee benefits	2,420.7	894.2	10,199.8	13,514.7
(b)	Contractual services	157.7	200.7	402.6	761.0
(c)	Other	2,329.2	319.3	275.0	15,102.3
				18,025.8	

Authorized FTE: 190.00 Permanent; 26.00 Term

The internal service funds/interagency transfers appropriation to the rehabilitation services program of the division of vocational rehabilitation in the other category includes two hundred seventy-five thousand dollars (\$275,000) to match with federal funds to support and enhance deaf and hard-of-hearing rehabilitation services.

Any unexpended balances in the division of vocational rehabilitation remaining at the end of fiscal year 2009 from appropriations made from the general fund shall not revert.

Performance measures:

- (a) Outcome: Number of persons achieving suitable employment for a minimum of ninety days 1,850
- (b) Outcome: Percent of persons achieving suitable employment outcomes of all cases closed after receiving planned services 67%
- (c) Outcome: Percent of persons achieving suitable employment outcomes competitively employed or self-employed 98%
- (d) Outcome: Percent of persons with significant disabilities achieving suitable employment outcomes who are competitively employed or self-employed, earning at least minimum wage 95%

(2) Independent living services:

The purpose of the independent living services program is to increase access for individuals with disabilities to technologies and services needed for various applications in learning, working and home management.

Appropriations:

(a) Other 1,406.2 250.0 1,656.2

Performance measures:

(a) Output: Number of independent living plans developed 500

(b) Output: Number of individuals served for independent living 750

(3) Disability determination:

The purpose of the disability determination program is to produce accurate and timely eligibility determinations to social security disability applicants so that they may receive benefits.

Appropriations:

(a) Personal services and
employee benefits 6,093.1 6,093.1

(b) Contractual services 257.7 257.7

(c) Other 5,656.8 5,656.8

Authorized FTE: 97.00 Permanent

Performance measures:

(a) Efficiency: Number of days for completing an initial disability claim 80

(b) Quality: Percent of disability determinations completed accurately 98.5%

Subtotal 45,965.3

GOVERNOR'S COMMISSION ON DISABILITY:

(1) Information and advocacy:

The purpose of the information and advocacy program is to provide needed information on disability case law analysis, building code comparisons, awareness of technologies, dispelling of stereotypes, training on the legislative process and population estimates to New Mexico individuals with disabilities and decision-makers, so they can improve the economic, health and social status of New Mexico individuals with disabilities.

Appropriations:

(a) Personal services and

	employee benefits	635.4		635.4
(b)	Contractual services		49.0	49.0
(c)	Other	213.9		213.9

Authorized FTE: 10.00 Permanent

Performance measures:

(a) Output: Number of meetings held to develop collaborative partnerships with other state agencies and private disability agencies to ensure that quality of life issues for New Mexicans with disabilities are being addressed 60

(b) Outcome: Number of presentations and events in which agency participates and contributes 24

Subtotal 898.3

DEVELOPMENTAL DISABILITIES PLANNING COUNCIL:

(1) Consumer services:

The purpose of the consumer services program is to provide training, information and referral for individuals with disabilities and their family members so they can live more independent and self- directed lives.

Appropriations:

(a)	Personal services and			
	employee benefits	82.8		82.8
(b)	Contractual services		4.4	4.4
(c)	Other	165.5	50.0	215.5

Authorized FTE: 2.00 Permanent

Performance measures:

(a) Output: Number of client contacts to assist on health, housing,

transportation, education, child care, medicaid services
and other programs 3,500

(2) Developmental disabilities planning council:

The purpose of the developmental disabilities planning council program is to provide and produce opportunities to and for persons with disabilities so they may realize their dreams and potentials and become integrated members of society.

Appropriations:

- (a) Personal services and
employee benefits 324.7 197.8 522.5
- (b) Contractual services 40.4 124.8 165.2
- (c) Other 151.4 187.9 339.3

Authorized FTE: 6.50 Permanent; 1.00 Term

Performance measures:

- (a) Output: Number of monitoring site visits conducted 40
- (b) Output: Number of persons with developmental disabilities, their family members or guardians and others involved in services for persons with developmental disabilities served by the agency in the federally mandated areas 5,000

(3) Brain injury advisory council:

The purpose of the brain injury advisory council program is to provide guidance on the use and implementation of programs provided through the aging and long-term services department's brain injury services fund so they may align service delivery with the needs as identified by the brain injury community.

Appropriations:

- (a) Personal services and
employee benefits 61.9 61.9
- (b) Contractual services 27.2 27.2

(c) Other 43.1 43.1

Authorized FTE: 1.00 Permanent

(4) Office of guardianship:

The purpose of the office of guardianship program is to enter into, monitor and enforce guardianship contracts for income-eligible persons and file, investigate and resolve complaints about guardianship services provided by contractors in order to maintain the dignity, safety and security of the indigent and incapacitated adults of the state.

Appropriations:

(a) Personal services and

employee benefits 361.1 361.1

(b) Contractual services 2,889.7 2,889.7

(c) Other 84.0 84.0

Authorized FTE: 5.50 Permanent

Performance measures:

(a) Outcome: Percent of wards properly served with the least restrictive

means, as evidenced by an annual technical compliance audit 80%

(b) Output: Number of wards served by corporate guardianship program 642

Subtotal 4,796.7

MINERS' HOSPITAL OF NEW MEXICO:

(1) Healthcare:

The purpose of the healthcare program is to provide quality acute care, long-term care, and related health services to the beneficiaries of the miners' trust fund of New Mexico and the people of the region so they can maintain optimal health and quality of life.

Appropriations:

(a) Personal services and

employee benefits 8,677.5 3,688.4 100.2 12,466.1

(b) Contractual services 3,641.0 48.2 91.2 3,780.4

(c)	Other	4,506.3	1,853.8	63.8	6,423.9
(d)	Other financing uses			5,590.4	5,590.4

Authorized FTE: 211.50 Permanent; 13.50 Term

The internal service funds/interagency transfers appropriation to the healthcare program of the miners' hospital of New Mexico in the other financing uses category includes five million five hundred ninety thousand four hundred dollars (\$5,590,400) from the miners' trust fund.

Performance measures:

- (a) Outcome: Percent of billed revenue collected 80%
- (b) Output: Number of patient days at the long-term care facility 11,000
- (c) Output: Number of patient days at the acute care facility 6,900
- (d) Output: Number of specialty clinic visits 900
- (e) Output: Number of emergency room visits 5,250

Subtotal 28,260.8

DEPARTMENT OF HEALTH:

(1) Public health:

The purpose of the public health program is to provide a coordinated system of community-based public health services focusing on disease prevention and health promotion to improve health status, reduce disparities and ensure timely access to quality, culturally competent health care.

Appropriations:

(a)	Personal services and				
	employee benefits	29,171.7	5,569.6	1,420.9	18,142.7
		54,304.9			
(b)	Contractual services	32,866.6	13.7	19,181.6	14,046.1
		66,108.0			
(c)	Other	22,169.8	17,543.5	5,076.8	39,729.5
					84,519.6
(d)	Other financing uses	804.0	182.8	986.8	

Authorized FTE: 382.50 Permanent; 632.50 Term; 1.00 Temporary

The general fund appropriation to the public health program of the department of health in the contractual services category includes two million eight hundred twenty-two thousand seven hundred eight dollars (\$2,822,708) for contracts related to the Maternal and Child Health Plan Act, one million six hundred thousand dollars (\$1,600,000) for the hepatitis C extension for community health outcomes program at the university of New Mexico, three hundred twenty thousand dollars (\$320,000) for the statewide nurse advice line [~~and fifty thousand dollars (\$50,000) for the Sandoval county family support program~~].

The other state funds appropriations to the public health program of the department of health include nine million one hundred fifteen thousand dollars (\$9,115,000) from the tobacco settlement program fund for smoking cessation and prevention programs, one million dollars (\$1,000,000) from the tobacco settlement program fund for diabetes prevention and control services, four hundred seventy thousand dollars (\$470,000) from the tobacco settlement program fund for HIV/AIDS prevention, services and medicine and two hundred thousand dollars (\$200,000) for breast and cervical cancer screening.

Any unexpended balances in the public health program of the department of health in the contractual services category from appropriations made from the county-supported medicaid fund for the support of primary health care services related to the Rural Primary Health Care Act remaining at the end of fiscal year 2009 shall not revert.

Performance measures:

- (a) Output: Percent of preschoolers fully immunized 90%
- (b) Outcome: National ranking of New Mexico teen birth rate per one thousand girls age fifteen to seventeen 40th
- (c) Outcome: Percent of adults who use tobacco 19.4%
- (d) Output: Number of youth served at school-based health centers 20,000
- (e) Explanatory: Number of packs of cigarettes sold per New Mexican 30

(2) Epidemiology and response:

The purpose of the epidemiology and response program is to maintain and enhance a statewide system of population-based surveillance, vital records and health statistics, emergency medical services, bioterrorism and health emergency management and injury prevention so information on the health of New Mexicans is readily available to identify and respond to threats to the health of the public, to ensure safe environments for New Mexicans, to ensure the provision of emergency medical services and to provide vital records to the public.

Appropriations:

- (a) Personal services and employee benefits 4,960.0 474.0 512.0 6,894.3 12,840.3
- (b) Contractual services 2,129.2 60.0 137.3 6,652.1 8,978.6

(c) Other 4,983.0 46.0 52.1 2,133.2 7,214.3

Authorized FTE: 59.00 Permanent; 141.00 Term

Performance measures:

(a) Output: Number of designated trauma centers in the state 9

(b) Output: Number of health emergency exercises conducted to assess
and improve local and international capability 80

(3) Laboratory services:

The purpose of the laboratory services program is to provide laboratory analysis and science policy for tax-supported public health, environmental and toxicology programs in the state of New Mexico to provide timely identification of threats to the health of New Mexicans.

Appropriations:

(a) Personal services and

employee benefits 4,737.7 1,357.5 1,343.0 7,438.2

(b) Contractual services 304.0 120.8 424.8

(c) Other 1,908.9 1,370.4 975.8 4,255.1

Authorized FTE: 84.00 Permanent; 53.00 Term

Performance measures:

(a) Output: Number of laboratory tests performed each year 340,000

(b) Efficiency: Percent of blood alcohol tests from
driving-while-intoxicated cases analyzed and reported
within seven business days 90%

(4) Facilities management:

The purpose of the facilities management program is to provide oversight for department of health facilities that provide health and behavioral healthcare services, including mental health, substance abuse, nursing home and rehabilitation programs, in both facility and community-based settings and serve as the safety net for the citizens of New Mexico.

Appropriations:

(a)	Personal services and employee benefits	35,408.7 103,148.6	30,037.1	35,470.9	2,231.9
(b)	Contractual services	10,192.0 30,238.8	8,887.8	10,498.6	660.4
(c)	Other	7,681.6	6,507.1	7,686.4	483.4 22,358.5

Authorized FTE: 2,271.00 Permanent; 28.00 Temporary

Performance measures:

(a) Outcome: Number of substantiated cases of abuse, neglect and exploitation per one hundred residents in agency-operated long-term care programs confirmed by the division of health improvement 0

(b) Output: Percent of clients at turquoise lodge without relapses at three to six months post discharge 40%

(c) Output: Percent of low-risk residents at Fort Bayard who have pressure sores 2%

(5) Developmental disabilities support:

The purpose of the developmental disabilities support program is to administer a statewide system of community-based services and supports to improve the quality of life and increase the independence and interdependence of individuals with developmental disabilities and children with or at risk for developmental delay or disability and their families.

Appropriations:

(a)	Personal services and employee benefits	3,752.2	5,670.6	471.0	9,893.8
(b)	Contractual services	14,968.9 18,275.4	1,200.0	1,034.1	1,072.4
(c)	Other	17,922.9	595.0	1,028.3	19,546.2

(d) Other financing uses 87,014.9 87,014.9

Authorized FTE: 72.00 Permanent; 81.00 Term; 1.00 Temporary

The general fund appropriation to the developmental disabilities support program of the department of health in the other financing uses category includes eighty-seven million fourteen thousand nine hundred dollars (\$87,014,900) for medicaid waiver services in local communities: one million nine hundred ninety-two thousand six hundred dollars (\$1,992,600) for medically fragile services and eighty-five million twenty-two thousand three hundred dollars (\$85,022,300) for services to the developmentally disabled.

The general fund appropriation to the developmental disabilities support program of the department of health in the contractual services category includes fifty-five thousand dollars (\$55,000) for the special olympics [~~and seven hundred fifty thousand dollars (\$750,000) to increase provider rates for the state general fund program for the developmentally disabled~~].

Performance measures:

(a) Outcome: Percent of adults receiving developmental disabilities day

services who are engaged in community-integrated employment 45%

(b) Outcome: Percent of families who report an increased capacity to

address their child's developmental needs as an outcome of

receiving early intervention services 97%

(c) Efficiency: Percent of developmental disabilities waiver applicants

determined to be both income eligible and clinically

eligible within ninety days of allocation 98%

(d) Efficiency: Percent of developmental disabilities waiver applicants who

have a service plan in place within ninety days of income

and clinical eligibility determination 98%

(6) Health certification, licensing and oversight:

The purpose of the health certification, licensing and oversight program is to provide health facility licensing and certification surveys, community-based oversight and contract compliance surveys and a statewide incident management system so that people in New Mexico have access to quality health care and that vulnerable populations are safe from abuse, neglect and exploitation.

Appropriations:

(a) Personal services and

	employee benefits	4,794.4	1,292.7	4,952.5	549.2	11,588.8
(b)	Contractual services	563.4	100.0		663.4	
(c)	Other	596.1	1,219.4	1,033.2	2,848.7	

Authorized FTE: 56.00 Permanent; 123.00 Term

Performance measures:

- (a) Outcome: Number of developmental disabilities providers receiving an unannounced survey 125
- (b) Output: Percent of required compliance surveys completed for adult residential care and adult daycare facilities 80%

(7) Administration:

The purpose of the administration program is to provide leadership, policy development, information technology, administrative and legal support to the department of health so that the department achieves a high level of accountability and excellence in services provided to the people of New Mexico.

Appropriations:

(a)	Personal services and					
	employee benefits	5,669.4	272.1	610.8	4,271.4	10,823.7
(b)	Contractual services	758.9	36.6	81.9	571.7	1,449.1
(c)	Other	6,860.0	34.8	78.0	545.7	7,518.5

Authorized FTE: 153.00 Permanent; 2.00 Term; 1.00 Temporary

The general fund appropriation to the administration program of the department of health in the other category includes five million five hundred twenty-seven thousand two hundred dollars (\$5,527,200) to support and expand trauma services statewide.

The general fund appropriation to the department of health in the contractual services category in all programs is contingent on the department of health including performance measures in its outcome-based contracts to increase oversight and accountability.

Performance measures:

- (a) Output: Percent of capital project funds expended over a five-year period 20%

(b) Output: Number of patient encounters provided through telehealth

sites statewide 12,000

Subtotal 572,439.0

DEPARTMENT OF ENVIRONMENT:

(1) Environmental health:

The purpose of the environmental health program is to protect public health and the environment through specific programs that provide regulatory oversight over food service and food processing facilities, regulation of on-site treatment and disposal of liquid wastes, regulation of public swimming pools and baths, regulation of medical radiation and radiological technologist certification, application of the mosquito abatement regulation, oversight of waste isolation pilot plant transportation and education and public outreach about radon in homes and public buildings.

Appropriations:

(a) Personal services and

employee benefits 5,158.5 2,430.2 198.6 7,787.3

(b) Contractual services 26.0 66.0 139.5 231.5

(c) Other 1,013.3 986.7 134.3 2,134.3

Authorized FTE: 111.00 Permanent; 24.00 Term

Performance measures:

(a) Output: Percent of radiation-producing machine inspections

completed within the timeframes identified in radiation

control bureau policies 100%

(b) Output: Percent of new septic tanks inspections completed 85%

(c) Output: Percent of annual permitted commercial food establishment

inspections completed 100%

(2) Water quality:

The purpose of the water quality program is to protect the quality of New Mexico's ground- and surface-water resources to ensure clean and safe water supplies are available now and in the future to support domestic, agricultural, economic and recreational activities and provide healthy habitat for fish, plants and

wildlife and to ensure that hazardous waste generation, storage, treatment and disposal is conducted in a manner protective of public health and environmental quality.

Appropriations:

- (a) Personal services and
employee benefits 3,021.4 4,050.3 6,920.4 13,992.1
- (b) Contractual services 125.9 915.8 4,627.4 5,669.1
- (c) Other 273.4 930.3 863.7 2,067.4

Authorized FTE: 46.00 Permanent; 159.50 Term

Performance measures:

- (a) Output: Percent of enforcement actions brought within one year of
discovery of noncompliance with order 95%
- (b) Outcome: Percent of permitted facilities where monitoring results do
not exceed standards 76%
- (c) Output: Number of inspections of permitted hazardous waste
facilities and hazardous waste generators, handlers and
transporters 150
- (d) Efficiency: Percent of department of energy generator site audits for
the waste isolation pilot project on which agency action
will be taken within forty-five days 88%
- (e) Explanatory: Stream miles and acreage of lakes monitored annually to
determine if surface water quality is impaired 1,500/10K

(3) Environmental protection:

The purpose of the environmental protection program is to ensure New Mexicans breathe healthy air, prevent releases of petroleum products into the environment, ensure solid waste is handled and disposed without harming natural resources and ensure every employee safe and healthful working conditions.

Appropriations:

(a)	Personal services and employee benefits	2,377.6	8,321.0	2,777.3	13,475.9
(b)	Contractual services	102.7	419.4	295.9	818.0
(c)	Other	492.1	1,982.3	553.4	3,027.8

Authorized FTE: 71.00 Permanent; 131.00 Term

Performance measures:

- (a) Outcome: Percent of serious worker health and safety violations corrected within the timeframes designated on issued citations from the consultation and compliance sections 95%
- (b) Outcome: Annual statewide greenhouse gas emissions 54.2MMt
- (c) Outcome: Percent of landfills meeting groundwater monitoring requirements 93%
- (d) Outcome: Percent of facilities taking corrective action to mitigate air quality violations discovered as a result of inspections 95%
- (e) Outcome: Improvement in visibility at all monitored locations in New Mexico based on a rolling average of the previous four quarters 197.25KM
- (f) Outcome: Percent of underground storage tank facilities in significant operational compliance with release prevention and release detection regulations of the petroleum storage tank regulations 90%
- (g) Outcome: Percent of inspected solid waste facilities in substantial compliance with the solid waste management regulations 75%

(h) Outcome: Number of days per year in which the air quality index exceeds one hundred, exclusive of natural events such as high winds and wildfires 8

(4) Water and wastewater infrastructure development:

The purpose of the water and wastewater infrastructure development program is to provide leadership for an interagency effort to develop a water and wastewater infrastructure evaluation plan, a uniform application implementation plan, and recommendations for efficient and effective use of water and wastewater loan funds; and to ensure compliance with the Safe Drinking Water Act.

Appropriations:

(a)	Personal services and				
	employee benefits	581.8	2,589.0	2,527.2	5,698.0
(b)	Contractual services	8.0	1,893.2	2,000.0	3,901.2
(c)	Other	85.0	546.6	565.4	1,197.0

Authorized FTE: 29.00 Permanent; 60.00 Term

~~[The department of environment shall report quarterly to the legislative finance committee and other interim committees on the implementation and status of the new water and wastewater infrastructure development program.]~~

Performance measures:

(a) Efficiency: Percent of public drinking water systems inspected within one week of confirmation of system problems that might acutely impact public health 100%

(b) Efficiency: Percent of drinking water chemical samplings completed within the regulatory timeframe 95%

(c) Outcome: Percent of public water systems that comply with acute maximum contaminant levels 95%

(d) Quality: Percent customer satisfaction with the construction bureau's technical assistance and engineering services

provided in conjunction with federal and state loan and grant projects for construction of water, wastewater and solid waste projects, based on written customer surveys 100%

(5) Program support:

The purpose of program support is to provide overall leadership, administrative, legal and information management support to allow programs to operate in the most knowledgeable, efficient and cost-effective manner so the public can receive the information it needs to hold the department accountable.

Appropriations:

(a)	Personal services and				
	employee benefits	2,738.9	1,745.1	2,233.7	6,717.7
(b)	Contractual services	243.3	149.5	191.4	584.2
(c)	Other	460.4	282.9	362.2	1,105.5

Authorized FTE: 51.00 Permanent; 34.00 Term

Performance measures:

- (a) Output: Percent of enforcement actions brought within one year of inspection or documentation of violation 95%
- (b) Outcome: Number of accounting function standards as defined by the department of finance and administration, office of the state controller achieved at the end of the fiscal year 4

(6) Special revenue funds:

Appropriations:

(a)	Personal services and		
	employee benefits	236.3	236.3
(b)	Contractual services	3,000.0	3,000.0
(c)	Other	9,983.0	9,983.0

(d) Other financing uses	27,135.6	27,135.6
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Authorized FTE: 4.00 Permanent

Subtotal	108,761.9	
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OFFICE OF THE NATURAL RESOURCES TRUSTEE:

(1) Natural resource damage assessment and restoration:

The purpose of the natural resources trustee program is to restore or replace natural resources or resource services injured or lost due to releases of hazardous substances or oil into the environment.

Appropriations:

(a) Personal services and employee benefits	343.0	343.0
(b) Contractual services	24.6	24.6
(c) Other	49.9	49.9

Authorized FTE: 3.80 Permanent

Performance measures:

(a) Outcome: Number of acres of habitat restoration	500
(b) Outcome: Number of acre-feet of water conserved through restoration	500

Subtotal	417.5	
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NEW MEXICO HEALTH POLICY COMMISSION:

(1) Health information and policy analysis:

The purpose of the health information and policy analysis program is to provide relevant and current health-related data, information and comprehensive analysis to consumers, state health agencies, the legislature and the private health sector so they can obtain or provide improved healthcare access in New Mexico.

Appropriations:

(a) Personal services and employee benefits	1,022.6	1,022.6
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(b)	Contractual services	31.9	31.9
(c)	Other	211.1 1.4 0.8	213.3

Authorized FTE: 15.00 Permanent

Performance measures:

(a) Outcome: Number of health-related bills analyzed during the legislative session 200

Subtotal 1,267.8

VETERANS' SERVICES DEPARTMENT:

(1) Veterans' services:

The purpose of the veterans' services program is to carry out the mandates of the New Mexico state legislature and the governor to provide information and assistance to veterans and their eligible dependents to obtain benefits to which they are entitled to improve their quality of life.

Appropriations:

(a)	Personal services and employee benefits	2,141.2	2,141.2
(b)	Contractual services	682.5	102.1 784.6
(c)	Other	438.6 49.3	487.9

Authorized FTE: 38.00 Permanent; 2.00 Term

Performance measures:

(a) Output: Number of veterans served by veterans' services department field officers 35,000

(b) Output: Number of referrals from veterans' services officers to contract veterans organizations 19,000

(c) Output: Number of homeless veterans provided overnight shelter for a period of two weeks or more 500

(d) Output: Compensation received by New Mexico veterans as a result of the department's contracts with veterans' organizations, in millions \$85

(e) Output: Number of property tax waiver and exemption certificates issued to New Mexico veterans 8,500

Subtotal 3,413.7

CHILDREN, YOUTH AND FAMILIES DEPARTMENT:

(1) Juvenile justice:

The purpose of the juvenile justice program is to provide rehabilitative services to youth committed to the department, including but not limited to medical, educational, mental health and other services, early intervention and prevention, detention and screening and probation and parole supervision aimed at keeping youth from committing additional delinquent acts.

Appropriations:

(a)	Personal services and				
	employee benefits	45,207.9	1,125.6	1,421.9	47,755.4
(b)	Contractual services	14,314.2	354.0	452.6	15,120.8
(c)	Other	7,781.7	174.9	280.6	8,237.2

Authorized FTE: 849.80 Permanent

Performance measures:

(a) Output: Percent of possible education credits earned by clients in juvenile justice division facilities 75%

(b) Outcome: Percent of incidents in juvenile justice service facilities requiring use of force resulting in injury 3.82%

(c) Outcome: Percent of clients receiving functional family therapy who have not committed a subsequent juvenile offense within two

years of discharge from service 86.5%

(d) Outcome: Number of juvenile justice division facility clients age eighteen and older who enter adult corrections within two years after discharge from a juvenile justice facility TBD

(e) Outcome: Percent of clients recommitted to a children, youth and families department facility within two years of discharge from facilities 11.5%

(f) Output: Percent of clients re-adjudicated within two years of previous adjudication 5.8%

(2) Protective services:

The purpose of the protective services program is to receive and investigate referrals of child abuse and neglect and provide family preservation and treatment and legal services to vulnerable children and their families to ensure their safety and well-being.

Appropriations:

(a)	Personal services and employee benefits	33,371.2	993.5	11,373.7	45,738.4
(b)	Contractual services	1,527.4		8,028.4	9,555.8
(c)	Other	25,029.3	1,566.3	23,598.3	50,193.9
(d)	Other financing uses			240.0	240.0

Authorized FTE: 834.00 Permanent

Performance measures:

(a) Outcome: Percent of children who are the subject of substantiated maltreatment within six months of a prior determination of substantiated maltreatment 7%

(b) Outcome: Percent of children reunified with their natural families

in less than twelve months of entry into care 78%

(c) Output: Percent of children who are the subject of substantiated maltreatment while in foster care 0.57%

(3) Family services:

The purpose of the family services program is to provide behavioral health, quality child care and nutrition services to children so they can enhance physical, social and emotional growth and development and can access quality care.

Appropriations:

(a)	Personal services and employee benefits	5,638.5	1,009.3	4,724.8	11,372.6
(b)	Contractual services	42,782.7	225.9	5,023.5	6,939.1
		54,971.2			
(c)	Other	19,513.2	900.0	32,246.0	73,021.1
					125,680.3
(d)	Other financing uses	319.9			319.9

Authorized FTE: 160.30 Permanent; 64.00 Term

The general fund appropriation to the family services program of the children, youth and families department in the contractual services category includes two hundred fifty thousand dollars (\$250,000) for home visiting to match federal funds in the medicaid program [~~and seven hundred thousand dollars (\$700,000) for child care provider rate increases to address costs related to a minimum wage increase~~].

The internal service funds/interagency transfers appropriations to the family services program of the children, youth and families department include three million six hundred thousand (\$3,600,000) for domestic violence programs, thirty-two million four hundred nineteen thousand three hundred dollars (\$32,419,300) for child care programs and one million dollars (\$1,000,000) for the pre-kindergarten program from the temporary assistance for needy families block grant to New Mexico.

Performance measures:

(a) Outcome: Percent of family providers participating in the child- and

adult-care food program 92%

(b) Outcome: Percent of adult victims receiving domestic violence

services living in a safer, more stable environment 85%

(c) Outcome: Percent of domestic violence offenders who complete an

abuser's intervention program TBD

(d) Outcome: Percent of children receiving state subsidy in stars/aim

high programs level two through five or with national

accreditation 50%

(4) Program support:

The purpose of program support is to provide the direct services divisions with functional and administrative support so they may provide client services consistent with the department's mission and also to support the development and professionalism of employees.

Appropriations:

(a) Personal services and

employee benefits	6,898.3	133.8	3,988.0	11,020.1
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(b) Contractual services	1,260.2	22.0	560.9	1,843.1
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(c) Other	1,377.1	34.4	1,270.6	2,682.1
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Authorized FTE: 162.00 Permanent

Performance measures:

(a) Outcome: Average vacancy rate for juvenile correctional officers 8%

(b) Outcome: Average vacancy rate for child welfare workers 12%

Subtotal	384,730.8
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TOTAL HEALTH, HOSPITALS AND HUMAN	1,520,948.9	242,920.6	308,038.6
3,403,180.7	5,475,088.8		

SERVICES

G. PUBLIC SAFETY

DEPARTMENT OF MILITARY AFFAIRS:

(1) National guard support:

The purpose of the national guard support program is to provide administrative, fiscal, personnel, facility construction and maintenance support to the New Mexico national guard military and civilian activities so they can maintain a high degree of readiness to respond to state and federal missions.

Appropriations:

(a)	Personal services and				
	employee benefits	2,493.9	92.9	3,878.8	6,465.6
(b)	Contractual services	110.1		1,692.5	1,802.6
(c)	Other	3,645.0	43.1	4,872.8	8,560.9

Authorized FTE: 31.00 Permanent; 89.00 Term

The general fund appropriation to the national guard support program of the department of military affairs in the other category includes seventy-five thousand dollars (\$75,000) for expenditures for the employee support of guard and reserve program.

The general fund appropriation to the national guard support program of the department of military affairs in the other category includes one million two hundred twenty-eight thousand dollars (\$1,228,000) for the service members' life insurance reimbursement fund.

Performance measures:

(a) Outcome: Rate of attrition of the New Mexico army national guard 16%

(b) Outcome: Percent of strength of the New Mexico national guard 88%

(2) Crisis response:

The purpose of the crisis response program is to provide resources and a highly trained and experienced force to protect the public and improve the quality of life for New Mexicans.

Appropriations:

(a)	Personal services and				
	employee benefits	896.9		1,276.2	2,173.1
(b)	Contractual services	209.0		313.8	522.8
(c)	Other	240.1	90.0	330.1	

Authorized FTE: 1.00 Permanent; 47.00 Term

Performance measures:

(a) Outcome: Percent of cadets successfully graduating from the youth challenge academy 90%

(b) Output: Percent of New Mexico youth challenge academy cadets who
earn their high school equivalency annually 48%

Subtotal 19,855.1

PAROLE BOARD:

(1) Adult parole:

The purpose of the adult parole program is to provide and establish parole conditions and guidelines for inmates and parolees so they may reintegrate back into the community as law-abiding citizens.

Appropriations:

(a) Personal services and
employee benefits 349.3 349.3
(b) Contractual services 37.7 37.7
(c) Other 160.8 160.8

Authorized FTE: 6.00 Permanent

Performance measures:

(a) Outcome: Percent of parole certificates issued within ten days of
hearing 95%
(b) Efficiency: Percent of initial parole hearings held a minimum of thirty
days prior to the inmate's projected release date 95%
(c) Efficiency: Percent of revocation hearings held within thirty days of a
parolee's return to the corrections department 95%

Subtotal 547.8

JUVENILE PAROLE BOARD:

(1) Juvenile parole:

The purpose of the juvenile parole program is to provide fair and impartial hearings through reviews to incarcerated youth so they can mainstream into society as law-abiding citizens.

Appropriations:

(a)	Personal services and employee benefits	372.2		372.2
(b)	Contractual services	7.0		7.0
(c)	Other	58.4	58.4	

Authorized FTE: 6.00 Permanent

Subtotal 437.6

CORRECTIONS DEPARTMENT:

(1) Inmate management and control:

The purpose of the inmate management and control program is to incarcerate in a humane, professionally sound manner offenders sentenced to prison and to provide safe and secure prison operations. This includes quality hiring and in-service training of correctional officers, protecting the public from escape risks and protecting prison staff, contractors and inmates from violence exposure to the extent possible within budgetary resources.

Appropriations:

(a)	Personal services and employee benefits	88,239.1	7,741.4	19.5	96,000.0
(b)	Contractual services	52,373.6	45.3		52,418.9
(c)	Other	100,424.2	6,131.5	5.5	106,561.2

Authorized FTE: 1,799.00 Permanent; 42.00 Term

The general fund appropriations to the inmate management and control program of the corrections department include fifty-one million three hundred eighty-one thousand seven hundred dollars (\$51,381,700) for medical services, a comprehensive medical contract and other health-related expenses.

Performance measures:

- (a) Outcome: Percent turnover of correctional officers 13%
- (b) Outcome: Percent of women offenders successfully released in accordance with their scheduled release dates 95%

- (c) Outcome: Percent of male offenders successfully released in accordance with their scheduled release dates 85%
- (d) Output: Percent of inmates testing positive for drug use or refusing the random monthly drug test <=2%
- (e) Output: Graduation rate of correctional officer cadets from the corrections department training academy 90%
- (f) Output: Number of serious inmate-to-inmate assaults in private and public facilities 24
- (g) Output: Number of serious inmate-to-staff assaults in private and public facilities 7
- (h) Efficiency: Daily cost per inmate, in dollars \$88.27

(2) Inmate programming:

The purpose of the inmate programming program is to provide motivated inmates with the opportunity to participate in appropriate programs and services so they have less propensity toward violence while incarcerated and the opportunity to acquire living skills and links to community support systems that can assist them on release.

Appropriations:

- (a) Personal services and employee benefits 8,178.4 114.0 8,292.4
- (b) Contractual services 755.6 108.5 864.1
- (c) Other 1,110.6 5.5 71.2 1,187.3

Authorized FTE: 142.50 Permanent; 2.00 Term

Performance measures:

- (a) Outcome: Recidivism rate of the success for offenders after release program by thirty-six months 38%

(b) Output: Percent of released inmates who were enrolled in the success for offenders after release program who are now gainfully employed 75%

(c) Output: Percent of eligible inmates who earn a general equivalency diploma 75%

(d) Output: Percent of participating inmates completing adult basic education 30%

(3) Corrections industries:

The purpose of the corrections industries program is to provide training and work experience opportunities for inmates to instill a quality work ethic and to prepare them to perform effectively in an employment position and to reduce idle time of inmates while in prison.

Appropriations:

(a)	Personal services and		
	employee benefits	2,445.0	2,445.0
(b)	Contractual services	20.6	20.6
(c)	Other	4,119.8	4,119.8

Authorized FTE: 38.00 Permanent; 4.00 Term

Performance measures:

(a) Outcome: Profit and loss ratio break even

(b) Outcome: Percent of eligible inmates employed 11%

(4) Community offender management:

The purpose of the community offender management program is to provide programming and supervision to offenders on probation and parole, with emphasis on high-risk offenders, to better ensure the probability of them becoming law-abiding citizens, to protect the public from undue risk and to provide intermediate sanctions and post-incarceration support services as a cost-effective alternative to incarceration.

Appropriations:

(a)	Personal services and employee benefits	19,277.7	952.0	20,229.7
(b)	Contractual services	38.7		38.7
(c)	Other	11,858.3	576.0	12,434.3

Authorized FTE: 392.00 Permanent

No more than one million dollars (\$1,000,000) of the general fund appropriations to the community offender management program of the corrections department shall be used for detention costs for parole violators.

The general fund appropriations to the community offender management program of the corrections department include three hundred fifty thousand dollars (\$350,000) for the residential evaluation and treatment center at Fort Stanton as a sentencing alternative to incarceration for selected nonviolent prisoners and parole violators.

The general fund appropriations to the community offender management program of the corrections department include four hundred fifty-two thousand five hundred dollars (\$452,500) to continue treatment services for drug court.

The general fund appropriations to the community offender management program of the corrections department include one million four hundred fifty thousand dollars (\$1,450,000) to provide residential treatment, mental health, substance abuse, parenting and reintegration services for women under the supervision of the probation and parole division and their children as appropriate.

Performance measures:

- (a) Outcome: Percent turnover of probation and parole officers 21%
- (b) Outcome: Percent of out-of-office contacts per month with offenders
on high and extreme supervision on standard caseloads 90%
- (c) Output: Percent of absconders apprehended 15%
- (d) Quality: Average standard caseload per probation and parole officer 92
- (e) Quality: Average intensive supervision program caseload per
probation and parole officer 20
- (f) Quality: Average number of offenders in intensive or high-risk
supervision 25

(5) Community corrections/vendor-run:

The purpose of the community corrections/vendor-run program is to provide selected offenders on probation and parole with residential and nonresidential service settings and to provide intermediate sanctions and post-incarceration support services as a cost-effective alternative to incarceration without undue risk to the public.

Appropriations:

(a)	Personal services and			
	employee benefits	830.7		830.7
(b)	Contractual services		56.8	56.8
(c)	Other	3,026.2	597.4	3,623.6

Authorized FTE: 17.00 Permanent

The appropriations for the community corrections/vendor-run program of the corrections department are appropriated to the community corrections grant fund.

Performance measures:

- (a) Output: Average community corrections program caseload per probation and parole officer 30
- (b) Output: Percent of male offenders who complete the residential treatment center program at Fort Stanton 75%

(6) Program support:

The purpose of program support is to provide quality administrative support and oversight to the department operating units to ensure a clean audit, effective budget, personnel management and cost-effective management information system services.

Appropriations:

(a)	Personal services and				
	employee benefits	6,449.2	60.0	232.0	6,741.2
(b)	Contractual services		404.7		404.7
(c)	Other	1,530.9	19.5		1,550.4

Authorized FTE: 96.00 Permanent

Performance measures:

(a) Outcome: Percent of prisoners reincarcerated within twelve months of being released from the New Mexico corrections department prison system into community supervision or discharged 30%

(b) Outcome: Percent of prisoners reincarcerated within twenty-four months of being released from the New Mexico corrections department prison system into community supervision or discharged 38%

(c) Outcome: Percent of prisoners reincarcerated within thirty-six months of being released from the New Mexico corrections department prison system into community supervision or discharged 47%

(d) Outcome: Percent of sex offenders reincarcerated within thirty-six months of being released from the New Mexico corrections department prison system into community supervision or discharged 40%

Subtotal 317,819.4

CRIME VICTIMS REPARATION COMMISSION:

(1) Victim compensation:

The purpose of the victim compensation program is to provide financial assistance and information to victims of violent crime in New Mexico so they can receive services to restore their lives.

Appropriations:

(a)	Personal services and employee benefits	854.3	854.3
(b)	Contractual services	299.5	299.5

(c) Other 1,146.2 450.0 1,596.2

Authorized FTE: 16.00 Permanent

Performance measures:

(a) Efficiency: Average number of days to process applications <120

(2) Federal grant administration:

The purpose of the federal grant administration program is to provide funding and training to nonprofit victim providers and public agencies so they can provide services to victims of crime.

Appropriations:

(a) Personal services and

employee benefits 259.1 259.1

(b) Contractual services 28.0 28.0

(c) Other 3,602.9 3,602.9

(d) Other financing uses 900.0 900.0

Authorized FTE: 4.00 Term

Subtotal 7,540.0

DEPARTMENT OF PUBLIC SAFETY:

(1) Law enforcement:

The purpose of the law enforcement program is to provide the highest quality of law enforcement services to the public and ensure a safer state.

Appropriations:

(a) Personal services and

employee benefits 64,797.3 1,201.8 7,943.9 4,072.1
78,015.1

(b) Contractual services 1,447.6 156.4 68.2 96.2 1,768.4

(c) Other 15,756.0 2,186.3 2,113.4 1,247.9 21,303.6

(d) Other financing uses 10.0 10.0

Authorized FTE: 1,048.50 Permanent; 59.00 Term; 24.10 Temporary

The internal service funds/interagency transfers appropriations to the law enforcement program of the department of public safety include six million nine hundred fourteen thousand dollars (\$6,914,000) from the state road fund for the motor transportation division.

Any unexpended balances in the department of public safety remaining at the end of fiscal year 2009 made from appropriations from the state road fund shall revert to the state road fund.

~~[The general fund appropriation to the law enforcement program of the department of public safety in the personal services and employee benefits category includes sufficient funding to provide security and protection for the governor and, while the governor is absent from the state, to the lieutenant governor while acting as governor pursuant to Article 5, Section 7 of the constitution of New Mexico.]~~

Performance measures:

- (a) Outcome: Number of driving-while-intoxicated arrests by department
of public safety commissioned personnel in New Mexico 3,600
- (b) Outcome: Number of driving-while-intoxicated crashes investigated by
department of public safety commissioned personnel 300
- (c) Outcome: Number of drug arrests by department of public safety
commissioned personnel in New Mexico 1,200
- (d) Outcome: Number of fatal crashes in New Mexico per year 400
- (e) Outcome: Number of narcotic seizures by the motor transportation
division 50
- (f) Outcome: Number of criminal cases investigated by department of
public safety commissioned personnel in New Mexico 15,000
- (g) Outcome: Number of administrative citations issued to licensed
liquor establishments for the illegal sales or service of
alcohol to minors and intoxicated persons by the special
investigation division 200
- (h) Outcome: Number of criminal citations or arrests for the illegal

sales or service of alcohol to minors and intoxicated
persons by the special investigation division 200

(i) Outcome: Number of commercial motor vehicle safety inspections by
the motor transportation division 90,000

(j) Output: Percent of strength of department of public safety
commissioned personnel 87%

(2) Program support:

The purpose of program support is to provide quality protection for the citizens of New Mexico through the business of information technology, forensic science, criminal records and financial management and administrative support to the participants in the criminal justice community.

Appropriations:

(a)	Personal services and					
	employee benefits	11,015.6	974.8	41.5	871.1	12,903.0
(b)	Contractual services	524.6	111.6	20.5		656.7
(c)	Other	4,719.6	530.8	42.1	4,172.9	9,465.4

Authorized FTE: 170.00 Permanent; 42.00 Term

Performance measures:

(a) Output: Percent of deoxyribonucleic acid cases processed within
seventy days from submission 100%

(b) Output: Percent of applicants' criminal background checks completed
within twenty-eight days of submission 100%

(c) Output: Percent of criminal fingerprint cards completed within
thirty-five days of submission 100%

(d) Output: Percent of operability for all mission-critical software
applications residing on agency servers 99.9%

Subtotal 124,122.2

HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT:

(1) Homeland security and emergency management program:

The purpose of the homeland security and emergency management program is to provide for and coordinate an integrated, statewide, comprehensive emergency management system for New Mexico, including all agencies, branches and levels of government for the citizens of New Mexico.

Appropriations:

(a) Personal services and				
employee benefits	2,253.4	153.0	1,747.3	4,153.7
(b) Contractual services	112.2	7.0	1,946.4	2,065.6
(c) Other	1,332.6	10.0	98.3	29,118.9
			30,559.8	

Authorized FTE: 23.00 Permanent; 41.00 Term

Performance measures:

(a) Outcome: Number of exercises conducted annually in compliance with	
federal guidelines	22
(b) Outcome: Number of program and administrative team compliance visits	
conducted each year on all grants	35
(c) Outcome: Number of local emergency operation plans (including	
terrorism incident annex) current within three years	29

Subtotal 36,779.1

TOTAL PUBLIC SAFETY	407,394.0	28,481.7	10,930.1	60,295.4
	507,101.2			

H. TRANSPORTATION

DEPARTMENT OF TRANSPORTATION:

(1) Programs and infrastructure:

The purpose of the programs and infrastructure program is to provide improvements and additions to the state's highway infrastructure to serve the interest of the general public. These improvements include those activities directly related to highway planning, design and construction necessary for a complete system of highways in the state.

Appropriations:

(a)	Personal services and			
	employee benefits	22,339.3	6,482.6	28,821.9
(b)	Contractual services	83,144.9	194,012.8	277,157.7
(c)	Other	57,092.1	147,486.3	204,578.4

Authorized FTE: 411.00 Permanent; 40.00 Term

The other state funds appropriations to the programs and infrastructure program of the department of transportation include twenty-two million forty-eight thousand nine hundred dollars (\$22,048,900) for a state-funded construction program.

Performance measures:

- (a) Output: Revenue dollars per passenger on park and ride \$2.95
- (b) Output: Annual number of commuter rail riders between Belen and Bernalillo 400,000
- (c) Output: Annual number of riders to and from Santa Fe 200,000
- (d) Explanatory: Annual number of riders on park and ride 350,000
- (e) Quality: Ride quality index for new construction 4.3
- (f) Outcome: Number of nonalcohol-related traffic fatalities 264
- (g) Outcome: Number of alcohol-related traffic fatalities 172
- (h) Outcome: Number of traffic fatalities per one hundred million vehicle miles traveled .88
- (i) Outcome: Percent of airport runways in good condition 75%
- (j) Output: Number of crashes in established safety corridors 886
- (k) Quality: Percent of final cost-over-bid amount on highway

construction projects 6%

(l) Explanatory: Percent of projects in production let as scheduled 85%

(m) Outcome: Percent of front-occupant seatbelt usage 90%

(2) Transportation and highway operations:

The purpose of the transportation and highway operations program is to maintain and provide improvements to the state's highway infrastructure to serve the interest of the general public. These improvements include those activities directly related to preserving roadway integrity and maintaining open highway access throughout the state system.

Appropriations:

(a) Personal services and

employee benefits	95,193.7	8,698.7	103,892.4
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(b) Contractual services	51,895.0		51,895.0
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(c) Other	101,464.9	319.0	101,783.9
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Authorized FTE: 1,972.00 Permanent; 48.70 Term

Performance measures:

(a) Output: Number of statewide improved pavement surface miles 4,500

(b) Outcome: Number of non-interstate miles rated good 8,225

(c) Outcome: Number of interstate miles rated good 1,190

(d) Outcome: Number of combined systemwide miles in deficient condition 2,500

(e) Output: Amount of litter pickup off department roads, in tons 17,000

(f) Quality: Customer satisfaction levels at rest areas 95%

(g) Efficiency: Maintenance expenditures per lane mile of combined

systemwide miles \$3,500

(3) Program support:

The purpose of program support is to provide management and administration of financial and human resources, custody and maintenance of information and property and construction and maintenance projects.

Appropriations:

(a)	Personal services and employee benefits	26,729.9	934.9	27,664.8
(b)	Contractual services	6,013.8	543.3	6,557.1
(c)	Other	16,884.9	204.2	17,089.1
(d)	Other financing uses	6,914.0		6,914.0

Authorized FTE: 280.00 Permanent; 4.80 Term

Performance measures:

- (a) Outcome: Percent of vacancy rate in all programs 6%
- (b) Quality: Number of external audit findings 4
- (c) Output: Number of employee work days lost due to accidents 110
- (d) Output: Percent of information technology projects on-time and on-budget 100%
- (e) Quality: Percent of prior-year audit findings resolved 100%
- (f) Efficiency: Percent of invoices paid within thirty days 99%

Subtotal	826,354.3		
TOTAL TRANSPORTATION	467,672.5	358,681.8	826,354.3

I. OTHER EDUCATION

PUBLIC EDUCATION DEPARTMENT:

The purpose of the public education department is to provide a public education to all students. The secretary of public education is responsible to the governor for the operation of the department. It is the secretary's duty to manage all operations of the department and to administer and enforce the laws with which the secretary or the department is charged. To do this, the department is focused on leadership and support, productivity, building capacity, accountability, communication and fiscal responsibility.

Appropriations:

- (a) Personal services and

	employee benefits	14,948.5	509.9	7,521.2	22,979.6
(b)	Contractual services	770.1	160.0	19,228.2	20,158.3
(c)	Other	1,416.4	601.6	2,780.6	4,798.6

Authorized FTE: 216.20 Permanent; 105.00 Term; 4.60 Temporary

Performance measures:

(a) Outcome: Percent of No Child Left Behind Act yearly progress

designations accurately reported by August 1 100%

(b) Outcome: Percent completion of the data warehouse project 75%

(c) Outcome: Percent of teachers adequately informed and trained on the

preparation of the licensure advancement professional

dossiers 95%

(d) Outcome: Percent of bureaus in five core areas (data collection and

reporting, assessment and accountability, special

education, capital outlay, school budget and finance

analysis) meeting the public education department's

customer service standards 60%

Subtotal 47,936.5

APPRENTICESHIP ASSISTANCE:

Appropriations: 750.0 750.0

Subtotal 750.0

REGIONAL EDUCATION COOPERATIVES:

Appropriations:

(a) Northwest: 1,134.0 1,134.0

(b) Northeast: 2,306.1 2,306.1

(c)	Lea county:	610.0	485.0	1,095.0
(d)	Pecos valley:	1,140.0	1,160.0	2,300.0
(e)	Southwest:	800.0	4,500.0	5,300.0
(f)	Central:	145.0	1,536.6	1,681.6
(g)	High plains:	3,607.0	1,982.1	5,589.1
(h)	Clovis:	500.0	2,000.0	2,500.0
(i)	Ruidoso:	3,285.0	5,740.6	9,025.6
	Subtotal		30,931.4	

PUBLIC EDUCATION DEPARTMENT SPECIAL APPROPRIATIONS:

Appropriations:

(a)	Beginning teacher mentorship	2,000.0		2,000.0
(b)	Breakfast for elementary students	2,450.0	2,450.0	
(c)	After school enrichment	3,300.0		3,300.0
(d)	Regional education cooperatives operations	1,400.0		1,400.0
(e)	Family and Youth Resource Act	1,500.0	1,500.0	
(f)	Pre-kindergarten program	8,500.0	1,000.0	9,500.0
(g)	Graduation reality and dual -role skills program	1,000.0		1,000.0
(h)	Truancy and drop out prevention	1,000.0	1,000.0	

(i)	New Mexico cyber academy	750.0		750.0
(j)	Student advisement plan	50.0		50.0
(k)	Rural revitalization	350.0	350.0	
(l)	New Mexico outdoor classroom	150.0		150.0
(m)	College and high school re- design-Los Lunas schools	75.0		75.0
(n)	Kindergarten-three-plus	7,163.4	[3,000.0]	10,163.4
(o)	Advanced placement	2,000.0		2,000.0
(p)	Summer reading, math and science institutes	2,500.0		2,500.0
(q)	School improvement framework	3,000.0		3,000.0

The general fund appropriation to the public education department for the Family and Youth Resource Act shall fund family and youth services pursuant to the Family and Youth Resource Act.

~~[The internal service funds/interagency transfers appropriations to the public education department include three million dollars (\$3,000,000) for the kindergarten-three-plus program from the temporary assistance for needy families block grant to New Mexico.]~~

The internal service funds/interagency transfers appropriations to the public education department include one million dollars (\$1,000,000) for the pre-kindergarten program from the temporary assistance for needy families block grant to New Mexico.

~~[The appropriations to the public education department for the pre-kindergarten program shall be used only for direct instruction, transportation and approved administrative costs.]~~

~~The public education department and the children, youth and families department shall report jointly and quarterly to the legislative education study committee and the legislative finance committee regarding implementation of the pre-kindergarten program. The four quarterly reports will address student progress by department, infrastructure expenditures, teacher and provider qualifications and adequacy of instructional materials.]~~

The general fund appropriation to the public education department for after school enrichment programs includes one million eight hundred thousand dollars (\$1,800,000) for twenty-first century community learning centers statewide.

~~[The general fund appropriation to the public education department for truancy and dropout prevention includes two hundred thirty thousand dollars (\$230,000) to the second judicial district court for truancy court.]~~

Any unexpended balances in the special appropriations to the public education department remaining at the end of fiscal year 2009 from appropriations made from the general fund shall revert to the general fund.

Subtotal 41,188.4

PUBLIC SCHOOL FACILITIES AUTHORITY:

The purpose of the public school facilities oversight program is to oversee public school facilities in all eighty-nine school districts to ensure correct and prudent planning, building and maintenance using state funds and to ensure adequacy of all facilities in accordance with educational programs approved by the public education department.

Appropriations:

- (a) Personal services and
employee benefits 4,268.2 4,268.2
- (b) Contractual services 355.0 355.0
- (c) Other 1,652.8 1,652.8

Authorized FTE: 55.00 Permanent

The other state funds appropriation to the public school facilities authority includes two hundred twenty-nine thousand six hundred dollars (\$229,600) for purchasing vehicles.

Performance measures:

- (a) Outcome: Percent of projects meeting all contingencies completed
within the specified period of awards 75%

- (b) Explanatory: Change in statewide public school facility condition index
measured on December 31 of prior calendar year, compared
with prior year

Subtotal 6,276.0

TOTAL OTHER EDUCATION 55,073.4 17,634.5 4,000.0 50,374.4
127,082.3

J. HIGHER EDUCATION

On approval of the higher education department, the state budget division of the department of finance and administration may approve increases in budgets of agencies, in this section, with the exception of

the policy development and institutional financial oversight program of the higher education department, whose other state funds exceed amounts specified. In approving budget increases, the director of the state budget division shall advise the legislature through its officers and appropriate committees, in writing, of the justification for the approval.

In reviewing institutional operating budgets, the higher education department shall ensure funds appropriated for nursing programs at public, postsecondary institutions are directed to that purpose.

~~[Public, post-secondary institutions shall report annually by June 30 actual and four-year projections of nursing student graduates and licensure pass rates to the office of the governor, higher education department, department of finance and administration and legislative finance committee.]~~

The general fund appropriations for special project expansions are to continue projects initiated by Laws 2005, Chapter 34.

~~[By April 1, 2008, the department of finance and administration shall certify to all stakeholders the reductions in the fiscal year 2008 operating budget of each public postsecondary institution due to tuition increases beyond the cap specified in the General Appropriation Act of 2007.]~~

Except as otherwise provided, any unexpended balances remaining at the end of fiscal year 2009 shall not revert to the general fund.

HIGHER EDUCATION DEPARTMENT:

(1) Policy development and institutional financial oversight:

The purpose of the policy development and institutional financial oversight program is to provide a continuous process of statewide planning and oversight within the department's statutory authority for the state higher education system to ensure both the efficient use of state resources and progress in implementing a statewide agenda.

Appropriations:

(a)	Personal services and				
	employee benefits	3,783.2	35.8	3,819.0	
(b)	Contractual services	596.8	482.0	1,078.8	
(c)	Other	1,498.0	30.0	281.5	1,206.8
				3,016.3	
(d)	Other financing uses	14,660.6		2,745.3	17,405.9

Authorized FTE: 32.50 Permanent; 14.50 Term

Any unexpended balances in the policy development and institutional financial oversight program remaining at the end of fiscal year 2009 from appropriations made from the general fund shall revert to the general fund.

The general fund appropriation to the policy development and institutional financial oversight program of the higher education department includes three million five hundred thousand dollars (\$3,500,000) for the

higher education program development enhancement fund for higher education institutions to address the state's nursing shortage. In allocating these funds, the higher education department is directed to consider past performance and implementation of new and innovative programs to increase enrollment and accelerate matriculation.

The general fund appropriation to the policy development and institutional financial oversight program of the higher education department includes five hundred thousand dollars (\$500,000) to provide a supplemental compensation package for nursing faculty and staff at public postsecondary institutions to be transferred consistent with the current higher education compensation methodology.

~~[The general fund appropriation to the policy development and institutional financial oversight program of the higher education department includes seventy-five thousand dollars (\$75,000) to develop a database to provide information to public schools on the outcomes of their students in their first year of college at a New Mexico public postsecondary educational institution.]~~

~~By September 1, 2008, the higher education department shall report time series data to the office of the governor, public education department, department of finance and administration and legislative finance committee on performance measures and targets for recruitment, enrollment, retention and graduation rates for Native American and Hispanic students. The higher education department shall provide an action plan by institution to achieve targeted results.]~~

Performance measures:

(a) Efficiency: Percent of properly completed capital infrastructure draws

released to the state board of finance within thirty days

of receipt from the institutions 100%

(b) Outcome: Percent of adult basic education students who set

attainment of general educational development as a goal 17%

(2) Student financial aid:

The purpose of the student financial aid program is to provide access, affordability and opportunities for success in higher education to students and their families so that all New Mexicans can benefit from postsecondary education and training beyond high school.

Appropriations:

(a) Other 24,877.1 46,864.5 569.9 72,311.5

Performance measures:

(a) Output: Number of students receiving college affordability awards 2,000

(b) Output: Number of lottery success recipients enrolled in or

graduated from college after the ninth semester 2,500

(c) Outcome: Percent of students meeting eligibility criteria for state loan programs who continue to be enrolled by the sixth semester 75%

(d) Outcome: Percent of students meeting eligibility criteria for work-study programs who continue to be enrolled by the sixth semester 70%

(e) Outcome: Percent of students meeting eligibility criteria for merit-based programs who continue to be enrolled by the sixth semester 85%

(f) Outcome: Percent of students meeting eligibility criteria for need-based programs who continue to be enrolled by the sixth semester 65%

Subtotal 97,631.5

UNIVERSITY OF NEW MEXICO:

(1) Main campus:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the work force, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a)	Instruction and general purposes	189,060.0	141,411.0	5,350.0	335,821.0
(b)	Athletics	2,804.1	26,432.0	32.0	29,268.1
(c)	Educational television	7,572.2	1,377.2	4,621.0	1,574.0
(d)	Other	162,089.0	108,026.0	270,115.0	

Performance measures:

- (a) Outcome: Number of first-time freshmen from New Mexico who are Native American 204
- (b) Outcome: Percent of full-time, degree-seeking, first-time freshmen retained to second year 76.8%
- (c) Output: Number of post-baccalaureate degrees awarded 1,375
- (d) Outcome: Amount of external dollars for research and public service, in millions \$118
- (e) Output: Number of undergraduate transfer students from two-year colleges 1,650
- (f) Outcome: Percent of full-time, degree-seeking, first-time freshmen completing an academic program within six years 44.5%

(2) Gallup branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

- (a) Instruction and general purposes 10,079.9 6,459.0 1,150.0 17,688.9
- (b) Nurse expansion 35.8 35.8
- ~~[(c) Indigenous media art center 40.0 40.0]~~
- (d) Other 1,234.0 227.0 1,461.0

Performance measures:

- (a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 45%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 60.7%

(c) Output: Number of students enrolled in the area vocational schools
program 420

(d) Outcome: Percent of first-time, full-time, degree-seeking students
enrolled in a given fall term who persist to the following
spring term 82%

(3) Los Alamos branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Instruction and general

purposes	2,285.2	1,599.0	20.0	3,904.2
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(b) Other 658.0 465.0 1,123.0

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours
successful after three years 55%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 44%

(c) Output: Number of students enrolled in the small business
development center program 310

(d) Outcome: Percent of first-time, full-time, degree-seeking students
enrolled in a given fall term who persist to the following
spring term 77%

(4) Valencia branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Instruction and general

purposes	4,989.8	3,661.0	2,728.0	11,378.8
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(b) Other	1,470.0	208.0	1,678.0	
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Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 62%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 68%

(c) Output: Number of students enrolled in the adult basic education

program 950

(d) Outcome: Percent of first-time, full-time, degree-seeking students

enrolled in a given fall term who persist to the following

spring term 80%

(5) Taos branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Instruction and general

purposes	2,592.6	2,748.0	334.0	5,674.6
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~~[(b) Manpower development 200.0 200.0]~~

(c) Other 535.0 535.0

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 59%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 65%

(c) Output: Number of students enrolled in the concurrent enrollment

program 400

(d) Outcome: Percent of first-time, full-time, degree-seeking students

enrolled in a given fall term who persist to the following

spring term 70%

(6) Research and public service projects:

Appropriations:

(a) Judicial selection 80.4 80.4

(b) Judicial education center 371.2 371.2

(c) Spanish resource center 111.6 111.6

(d) Southwest research center 2,010.6 2,010.6

(e) Substance abuse program 160.5 160.5

(f) Native American intervention 200.6 200.6

(g) Resource geographic

information system 140.4 140.4

(h) Natural heritage program 82.1 82.1

(i) Southwest Indian law

clinic 214.8 214.8

(j) BBER census and population

	analysis	417.1	417.1	
(k)	New Mexico historical			
	review	87.1	87.1	
(l)	Ibero-American education			
	consortium	183.3	183.3	
(m)	Youth education recreation			
	program	154.7	154.7	
(n)	Advanced materials research	68.9	68.9	
(o)	Manufacturing engineering			
	program	656.9	656.9	
(p)	Hispanic student			
	center	127.8	127.8	
(q)	Wildlife law education	152.4	152.4	
(r)	Science and engineering			
	women's career development	24.0	24.0	
(s)	Youth leadership development	78.8	78.8	
(t)	Morrissey hall research	60.1	60.1	
(u)	Africana studies faculty			
	initiative	100.0	100.0	
(v)	Disabled student services	233.9	233.9	
(w)	Minority graduate			
	recruitment and retention	167.5	167.5	
(x)	Graduate research			

	development fund	86.4	86.4	
(y)	Community-based education	864.2		864.2
(z)	Corrine Wolfe children's law center	314.8	314.8	
(aa)	Mock trials program	82.7	82.7	
(bb)	Special projects expansion	1,106.3		1,106.3
(cc)	Engaging Latino communities for education	94.9	94.9	
(dd)	Pre-college minority student math/science	315.8	315.8	
(ee)	Latin American student recruitment	247.0	247.0	
(ff)	Saturday science and math academy	70.0	70.0	
(gg)	Utton transboundary resources center	431.0	431.0	
(hh)	Law college prep mentoring program	200.0	200.0	
(ii)	Navajo language research and teaching	100.0	100.0	
(jj)	Biomedical engineering	200.0		200.0
(kk)	Student athlete retention	250.0		250.0
(ll)	Department of media arts	357.0		357.0

(mm)	International education			
	initiatives	280.0	280.0	
(nn)	College mentoring program		132.0	132.0
(oo)	Residential rehabilitation			
	transition facility	120.0	120.0	
(pp)	Institute for aerospace			
	engineering	100.0	100.0	
(qq)	Alfonso Ortiz center	40.0	40.0	
(rr)	Research service learning	50.0	50.0	
(ss)	Licensed alcohol/drug			
	counselor internship	20.0	20.0	
(tt)	Student mass transit	35.0	35.0	
(uu)	African American studies	30.0	30.0	
(vv)	Center for Latin American			
	resources and outreach	25.0	25.0	

[The general fund appropriation to the university of New Mexico for the southwest research center includes seventy five thousand dollars (\$75,000) for the center for regional studies.]

(7) Health sciences center:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the work force, compete and advance in the new economy, and contribute to social advancement through informed citizenship.

Appropriations:

(a)	Medical school instruction			
	and general purposes	61,721.2	29,780.1	1,601.1
		93,102.4		

(b)	Office of medical investigator	4,106.4	1,279.0	5.0	5,390.4
(c)	Emergency medical services academy	893.9	500.0	1,393.9	
(d)	Children's psychiatric hospital	7,269.2	12,000.0		19,269.2
(e)	Hemophilia program		576.5		576.5
(f)	Carrie Tingley hospital		5,266.5	10,857.4	16,123.9
(g)	Out-of-county indigent fund		1,241.1	1,241.1	
(h)	Specialized perinatal care		599.3		599.3
(i)	Newborn intensive care		3,583.1	930.0	4,513.1
(j)	Pediatric oncology	878.8	400.0	1,278.8	
(k)	Young children's health center	621.9	1,575.6	2,197.5	
(l)	Pediatric pulmonary center		203.0		203.0
(m)	Area health education centers		179.6	158.2	350.0
(n)	Grief intervention program		181.0		181.0
(o)	Pediatric dysmorphology		157.3		157.3
(p)	Locum tenens	780.1	1,950.0		2,730.1
(q)	Disaster medicine program		111.6		111.6
(r)	Poison control center		1,481.7	519.0	168.2
					2,168.9

(s)	Fetal alcohol study	180.8		180.8	
(t)	Telemedicine	529.2	250.0	545.5	1,324.7
(u)	Nurse-midwifery program	393.1		393.1	
(v)	Other - health sciences			289,597.7	58,582.6
					348,180.3
(w)	Cancer center	2,941.6		5,003.6	8,030.5
					15,975.7
(x)	Children's cancer camp	108.8		108.8	
(y)	Oncology	99.9		99.9	
(z)	Lung and tobacco-related illnesses		1,000.0		1,000.0
(aa)	Genomics, biocomputing and environmental health research			201.5	1,500.0
					1,701.5
(bb)	Los pasos program	7.3	50.0	57.3	
(cc)	Trauma specialty education			29.8	400.0
					429.8
(dd)	Pediatrics specialty education	29.0	400.0	429.0	
(ee)	Native American health center		324.0	324.0	
(ff)	Donated dental services	25.0		25.0	
(gg)	Special projects expansion	131.5		131.5	
(hh)	Rural physicians residencies			299.7	299.7
(ii)	Hepatitis C community health outcomes	900.0		900.0	
(jj)	Dental residencies	100.0		100.0	

(kk)	Nurse expansion	1,961.3	1,961.3
(ll)	Cooperative pharmacy program	457.0	457.0
(mm)	Integrative medicine program	312.0	312.0
(nn)	Nurse advise line	35.0	35.0
(oo)	Rural clinical improvements	57.0	57.0
(pp)	Pediatrics telehealth	10.0	10.0
(qq)	Multi-disciplinary evaluation clinic	50.0	50.0

The other state funds appropriations to the university of New Mexico health sciences center include five million four hundred thousand dollars (\$5,400,000) from the tobacco settlement program fund for the following: one million dollars (\$1,000,000) for research and clinical care programs in lung and tobacco-related illnesses; one million dollars (\$1,000,000) for instruction and general purposes; one million five hundred thousand dollars (\$1,500,000) for research in genomics, biocomputing and environmental health; four hundred fifty thousand dollars (\$450,000) for the poison control center; four hundred thousand dollars (\$400,000) for the pediatric oncology program; one hundred fifty thousand dollars (\$150,000) for the telemedicine program; fifty thousand dollars (\$50,000) for the los pasos program; fifty thousand dollars (\$50,000) for area health education centers; four hundred thousand dollars (\$400,000) for specialty education in trauma; and four hundred thousand dollars (\$400,000) for specialty education in pediatrics. These funds may not be used for any other purpose.

Performance measures:

(a) Output: University of New Mexico hospital inpatient readmission rate 4.8

(b) Output: Number of university of New Mexico cancer research and
treatment center clinical trials 230

(c) Output: Number of post-baccalaureate degrees awarded 284

(d) Outcome: External dollars for research and public service, in
millions \$250.4

(e) Outcome: Pass rates for step three of the United States medical
licensing exam on the first attempt 98%

Subtotal 1,224,401.6

NEW MEXICO STATE UNIVERSITY:

(1) Main campus:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the work force, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a)	Instruction and general purposes	123,124.8	79,140.0	10,266.0	212,530.8
(b)	Athletics	3,862.2	9,031.0		12,893.2
(c)	Educational television		1,266.7	1,074.0	2,340.7
(d)	Other	84,900.0		120,959.0	205,859.0

Performance measures:

- (a) Outcome: Percent of full-time, degree-seeking, first-time freshmen retained to second year 82%
- (b) Outcome: External dollars for research and creative activity, in millions \$173.3
- (c) Output: Number of teacher preparation programs available at New Mexico community college sites 5
- (d) Outcome: Percent of full-time, degree-seeking, first-time freshmen completing an academic program within six years 50%
- (e) Outcome: Number of undergraduate transfer students from two-year colleges 1,028

(2) Alamogordo branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that

they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general				
	purposes	6,300.2	2,895.0	1,013.0	10,208.2
(b)	Nurse expansion	30.1		30.1	
(c)	Other	552.0	2,036.0	2,588.0	

Performance measures:

- (a) Outcome: Percent of new students taking nine or more credit hours
successful after three years 48%
- (b) Outcome: Percent of graduates placed in jobs in New Mexico 66%
- (c) Output: Number of students enrolled in the small business
development center program 900
- (d) Outcome: Percent of first-time, full-time, degree-seeking students
enrolled in a given fall term who persist to the following
spring term 78%

(3) Carlsbad branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general				
	purposes	3,978.3	2,585.0	1,148.0	7,711.3
(b)	Nurse expansion	144.5		144.5	
(c)	Other	2,431.0	2,028.0	4,459.0	

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 67%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 82%

(c) Output: Number of students enrolled in the contract training program 450

(4) Dona Ana branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Instruction and general

purposes	19,200.6	11,174.0	1,153.0	31,527.6
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(b) Nurse expansion	112.4		112.4	
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(c) Other	2,784.0	10,810.0	13,594.0	
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Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 45%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 77%

(c) Output: Number of students enrolled in the adult basic education

program 5,000

(d) Outcome: Percent of first-time, full-time, degree-seeking students

enrolled in a given fall term who persist to the following

spring term 81%

(5) Grants branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general purposes	3,178.3	1,262.0	358.0	4,798.3
(b)	Other	850.0	1,240.0	2,090.0	

Performance measures:

- (a) Outcome: Percent of new students taking nine or more credit hours successful after three years 52%
- (b) Outcome: Percent of graduates placed in jobs in New Mexico 82%
- (c) Output: Number of students enrolled in the community services program 700
- (d) Outcome: Percent of first-time, full-time, degree-seeking students enrolled in a given fall term who persist to the following spring term 78%

(6) Department of agriculture:

Appropriations:	11,438.9	3,298.0	1,636.0	16,372.9
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~~[The general fund appropriation to the department of agriculture includes one hundred fifty thousand dollars (\$150,000) for fresh produce to schools.]~~

(7) Research and public service projects:

Appropriations:

(a)	Special projects expansion	908.1		908.1	
(b)	Agricultural experiment station	15,480.9	4,173.0	8,800.0	28,453.9

(c)	Cooperative extension service	12,507.8	6,372.0	12,320.0	31,199.8
(d)	Water resource research	458.9	92.0	292.0	842.9
(e)	Coordination of Mexico programs	101.5		101.5	
(f)	Indian resources development		388.8		388.8
(g)	Waste management education program	531.0		2,640.0	3,171.0
(h)	Campus security	90.3		90.3	
(i)	Carlsbad manufacturing sector development program		363.6	2.0	365.6
(j)	Manufacturing sector development program	421.6		73.0	494.6
(k)	Alliances for underrepresented students	384.4	17.0		401.4
(l)	Arrowhead center for business development	111.6			111.6
(m)	Viticulturist	215.3		215.3	
(n)	Family strengthening/ parenting classes	47.5		47.5	
(o)	Aerospace engineering	616.8			616.8
(p)	Math and science skills for disadvantaged students	30.6			30.6

(q)	Nurse expansion	835.8		835.8
(r)	New Mexico space consortium grant	50.0	720.0	770.0
(s)	Las Vegas schools agriculture education program	110.0		110.0
(t)	Tribal extension program	247.0		247.0
(u)	Institute for international relations	200.0		200.0
(v)	Mental health nurse practitioner	325.0		325.0
(w)	Economic development doctorate	130.0	130.0	130.0
(x)	College of agriculture leadership program	100.0		100.0
(y)	Family wellness program	57.0		57.0
(z)	Virtual film school	50.0		50.0
(aa)	Space consortium and outreach program	102.0		102.0
(bb)	Alliance teaching and learning advancement	175.0		175.0
(cc)	Center for economics and personal finance	50.0		50.0

(dd)	College assistance migrant program	329.4		329.4
(ee)	English teacher collaborative	20.0		20.0
(ff)	Nursing scholarships	100.0		100.0
(gg)	Chile industry	250.0		250.0
(hh)	Range improvement task force	50.0	50.0]	
	Subtotal			598,600.9

NEW MEXICO HIGHLANDS UNIVERSITY:

(1) Main:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the work force, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a)	Instruction and general purposes	28,960.1	9,596.0	415.0	38,971.1
(b)	Athletics	2,010.4	169.0	13.0	2,192.4
(c)	Other	9,975.0	9,518.0		19,493.0

Performance measures:

- (a) Outcome: Percent of full-time, degree-seeking, first-time freshmen retained to second year 53%
- (b) Outcome: Percent of graduating seniors indicating "satisfied" or "very satisfied" with the university on student

satisfaction survey 90%

(c) Outcome: Percent of total funds generated by grants and contracts 23%

(d) Output: Number of undergraduate transfer students from two-year colleges 437

(e) Output: Percent of full-time, degree-seeking, first-time freshmen completing an academic program within six years 20%

(2) Research and public service projects:

Appropriations:

(a)	Special projects expansion	272.7	272.7
(b)	Upward bound	131.7	131.7
(c)	Advanced placement	294.4	294.4
(d)	Native American recruitment and retention	44.2	44.2
(e)	Diverse populations study	330.9	330.9
(f)	Visiting scientist	18.9	18.9
(g)	Spanish program	287.7	287.7
(h)	Forest and watershed institute	249.7	249.7
(i)	Bilingual education material	60.0	60.0
(j)	Spanish/English immersion program	199.8	199.8
(k)	Rodeo	134.0	134.0
(l)	Social work outreach and		

	clinical training	50.0		50.0
(m)	Wrestling program	150.0		150.0
(n)	Medical health interpreter training center	20.0		20.0
Subtotal				62,900.5

WESTERN NEW MEXICO UNIVERSITY:

(1) Main:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the work force, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a)	Instruction and general purposes	16,587.3	6,746.0	229.0	23,562.3
(b)	Athletics	2,079.5	193.0		2,272.5
(c)	Other	3,583.0	4,041.0		7,624.0

Performance measures:

(a) Outcome: Percent of full-time, degree-seeking, first-time freshmen

retained to second year 50%

(b) Output: Number of graduates receiving teacher licensure 155

(c) Outcome: External dollars to be used for programs to promote student

success, in millions \$3

(d) Output: Number of undergraduate transfer students from two-year

colleges 160

(e) Output: Percent of full-time, degree-seeking, first-time freshmen

completing an academic program within six years 21%

(2) Research and public service projects:

Appropriations:

(a)	Educational television	128.6		128.6
(b)	Child development center	588.2	578.0	1,166.2
(c)	North American free trade agreement	14.7		14.7
(d)	Web-based teacher licensure	388.6		388.6
(e)	Nurse expansion	498.4		498.4
	Subtotal		35,655.3	

EASTERN NEW MEXICO UNIVERSITY:

(1) Main campus:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the work force, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a)	Instruction and general purposes	26,560.7	10,706.0	2,761.0	40,027.7
(b)	Athletics	2,310.0	830.0	11.0	3,151.0
(c)	Educational television	1,139.4		1,481.0	642.0 3,262.4
(d)	Other	15,259.0	6,772.0	22,031.0	

Performance measures:

(a) Outcome: Percent of full-time, degree-seeking, first-time freshmen

retained to second year 60%

(b) Outcome: External dollars supporting research and student success,

in millions \$8

(c) Output: Number of undergraduate transfer students from two-year

colleges 390

(d) Output: Percent of full-time, degree-seeking, first-time freshmen

completing an academic program within six years 33%

(2) Roswell branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Instruction and general

purposes	15,195.2	6,300.0	3,626.0	25,121.2
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(b) Distance education for high

school	75.0	75.0
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(c) Nurse expansion 75.4 75.4

(d) Other 7,381.0 6,016.0 13,397.0

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 60%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 73%

(c) Efficiency: Percent of programs having stable or increasing enrollments 75%

(d) Outcome: Percent of first-time, full-time, degree-seeking students

enrolled in a given fall term who persist to the following

spring term 75.5%

(3) Ruidoso branch:

The purpose of the instruction and general program at New Mexico's branch community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general purposes	1,675.7			1,675.7
(b)	Adult basic education- Ruidoso	178.8	1,505.0	241.0	1,924.8
(c)	Other	579.0	694.0		1,273.0

Performance measures:

- (a) Outcome: Percent of new students taking nine or more credit hours successful after three years 59%
- (b) Efficiency: Percent of programs having stable or increasing enrollments 75%
- (c) Outcome: Percent of first-time, full-time, degree-seeking students enrolled in a given fall term who persist to the following spring term 60%

(4) Research and public service projects:

Appropriations:

(a)	Special projects expansion	304.4			304.4
(b)	Center for teaching excellence	268.4	11.0	4.0	283.4
(c)	Blackwater Draw site and museum	97.6	16.0		113.6
(d)	Assessment project	141.1	6.0	2.0	149.1

(e)	Social work	156.1		156.1
(f)	Job training for physically and mentally challenged	24.0		24.0
(g)	Math and science programs	25.0		25.0
(h)	Student success programs	77.0		77.0
(i)	Airframe mechanics	73.6		73.6
(j)	Aviation science technology	95.0		95.0
(k)	Emergency medical services management	95.0		95.0
(l)	Nurse expansion	42.0		42.0
(m)	Distance teacher education	175.0		175.0
(n)	At-risk student tutoring	98.0		98.0
(o)	Speech and hearing rehabilitation outreach	54.0		54.0
(p)	Science and math teacher development	95.0		95.0
	Subtotal			113,874.4

NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY:

(1) Main:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the work force, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a) Instruction and general

	purposes	27,282.5	11,926.0	39,208.5
(b)	Athletics	252.2	7.0	259.2
(c)	Other	16,150.0	8,828.0	24,978.0

Performance measures:

(a) Outcome: Percent of full-time, degree-seeking, first-time freshmen retained to second year 75%

(b) Output: Number of students registered in master of science teaching program 150

(c) Outcome: External dollars for research and creative activity, in millions \$100

(d) Output: Number of undergraduate transfer students from two-year colleges 40

(e) Output: Percent of full-time, degree-seeking, first-time freshmen completing an academic program within six years 45%

(2) Research and public service projects:

Appropriations:

(a)	Minority engineering, math and science	255.0	255.0	
(b)	Special projects expansion	186.8		186.8
(c)	Bureau of mines	4,102.1	383.0	4,485.1
(d)	Petroleum recovery research center	2,302.9	4,046.0	6,348.9
(e)	Bureau of mines inspection		306.7	306.7
(f)	Energetic materials research			

	center	859.3	7,236.0		41,623.0	49,718.3
(g)	Science and engineering fair			418.9		418.9
(h)	Institute for complex additive systems analysis	961.4	254.0		21,400.0	22,615.4
(i)	Cave and karst research	519.0	78.0			597.0
(j)	Geophysical research center	995.9		9,630.0		10,625.9
(k)	Homeland security center	706.5				706.5
(l)	Aquifer mapping	264.0			264.0	
(m)	Pre-engineering program	50.0				50.0
(n)	Southeast New Mexico center for energy studies	250.0			250.0	
(o)	Train middle/high school students on supercomputers			56.4	39.0	95.4
(p)	Statewide teacher student computer program	60.0				60.0
(q)	High school student summer science program	72.0				72.0

The general fund appropriation to the New Mexico institute of mining and technology for the bureau of mines includes one hundred thousand dollars (\$100,000) from federal Mineral Lands Leasing Act receipts.

Subtotal 161,501.6

NORTHERN NEW MEXICO COLLEGE:

(1) Main:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they

have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general purposes	9,916.7	3,113.0	3,156.0	16,185.7
(b)	Athletics	240.0		240.0	
(c)	Other	2,041.0	2,656.0	4,697.0	

Performance measures:

- (a) Outcome: Percent of new students taking nine or more credit hours successful after three years 70%
- (b) Outcome: Percent of graduates placed in jobs in New Mexico 70%
- (c) Output: Number of students enrolled in the adult basic education program 400
- (d) Outcome: Percent of first-time, full-time, degree-seeking students enrolled in a given fall term who persist to the following spring term 80%

(2) Research and public service projects:

Appropriations:

(a)	Special projects expansion	337.4		337.4	
(b)	Northern pueblos institute	125.0		125.0	
(c)	Middle school teachers math/science	250.0		250.0	
(d)	Nurse expansion	29.2		29.2	
(e)	Faculty salary adjustments	120.0		120.0	

(f)	Math and science teacher			
	education	100.0		100.0
(g)	Health science and nursing			
	program	200.0		200.0
	Subtotal			22,284.3

SANTA FE COMMUNITY COLLEGE:

(1) Main:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general				
	purposes	9,564.8	20,235.0	1,213.0	31,012.8
(b)	Nurse expansion	92.7		92.7	
(c)	Other	5,965.0	2,616.0	8,581.0	

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 52%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 78%

(c) Output: Number of students enrolled in the contract training program 3,000

(d) Outcome: Percent of first-time, full-time, degree-seeking students

enrolled in a given fall term who persist to the following

spring term 76%

(2) Research and public service projects:

Appropriations:

(a)	Small business development				
	centers	5,073.4		954.0	6,027.4
(b)	Sign language services	22.5			22.5
	Subtotal			45,736.4	

CENTRAL NEW MEXICO COMMUNITY COLLEGE:

(1) Main:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general				
	purposes	52,718.4	54,887.0	5,000.0	112,605.4
(b)	Other	8,167.0	25,000.0	33,167.0	

Performance measures:

- (a) Outcome: Percent of new students taking nine or more credit hours
successful after three years 48%
- (b) Outcome: Percent of graduates placed in jobs in New Mexico 82%
- (c) Output: Number of students enrolled in distance education program 3,500
- (d) Outcome: Percent of first-time, full-time, degree-seeking students
enrolled in a given fall term who persist to the following
spring term 80%

(2) Research and public service projects:

Appropriations:

(a)	Tax help New Mexico	342.0	32.0		374.0
	Subtotal			146,146.4	

LUNA COMMUNITY COLLEGE:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general purposes	8,460.9	3,703.0	986.0	13,149.9
(b)	Athletics	75.0		75.0	
(c)	Nurse expansion	36.1		36.1	
(d)	Other	1,662.0	2,042.0	3,704.0	

Performance measures:

(a)	Outcome: Percent of new students taking nine or more credit hours successful after three years	57%
(b)	Outcome: Percent of graduates placed in jobs in New Mexico	92%
(c)	Output: Number of students enrolled in the small business development center program	325
(d)	Outcome: Percent of first-time, full-time, degree-seeking students enrolled in a given fall term who persist to the following spring term	80%
	Subtotal	16,965.0

MESALANDS COMMUNITY COLLEGE:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general				
	purposes	3,047.2	1,128.0	1,859.0	6,034.2
(b)	Athletics	75.0		75.0	
(c)	Other		1,181.0	1,181.0	

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 49%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 69.5%

(c) Output: Number of students enrolled in the small business

development center program 70

(d) Outcome: Percent of first-time, full-time, degree-seeking students

enrolled in a given fall term who persist to the following

spring term 64%

Subtotal 7,290.2

NEW MEXICO JUNIOR COLLEGE:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a)	Instruction and general				
	purposes	7,366.5	12,546.0	1,059.0	20,971.5
(b)	Athletics	316.5		316.5	
(c)	Nurse expansion	165.3		165.3	
(d)	Lea county distance				

	education consortium	136.5		136.5
(e)	Oil and gas training center	25.0		25.0
(f)	Other	2,646.0	4,698.0	7,344.0

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 60%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 67%

(c) Output: Number of students enrolled in distance education program 7,000

(d) Outcome: Percent of first-time, full-time, degree-seeking students

enrolled in a given fall term who persist to the following

spring term 72.5%

Subtotal 28,958.8

SAN JUAN COLLEGE:

(1) Main campus:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Instruction and general

purposes 21,290.3 28,507.0 963.0 50,760.3

(b) Other 10,792.0 4,919.0 15,711.0

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 70%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 62%

(c) Output: Number of students enrolled in the service learning program 400

(d) Outcome: Percent of first-time, full-time, degree-seeking students

enrolled in a given fall term who persist to the following

spring term 80%

(2) Research and public service projects:

Appropriations:

(a) Dental hygiene program 204.7 204.7

(b) Oil and gas job training
program 100.8 100.8

(c) Indigent youth program 79.9 79.9

(d) Nurse expansion 368.6 368.6

Subtotal 67,225.3

CLOVIS COMMUNITY COLLEGE:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so that they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Instruction and general
purposes 10,069.9 3,349.0 676.0 14,094.9

(b) Nurse expansion 71.9 71.9

(c) Other 3,900.0 5,975.0 9,875.0

Performance measures:

(a) Outcome: Percent of new students taking nine or more credit hours

successful after three years 72%

(b) Outcome: Percent of graduates placed in jobs in New Mexico 72%

(c) Output: Number of students enrolled in the concurrent enrollment program 600

(d) Outcome: Percent of first-time, full-time, degree-seeking students enrolled in a given fall term who persist to the following spring term 81%

Subtotal 24,041.8

NEW MEXICO MILITARY INSTITUTE:

The purpose of the New Mexico military institute is to provide a college-preparatory instruction for students in a residential, military environment culminating in a high school diploma or associates degree.

Appropriations:

(a)	Instruction and general purposes	972.1	21,688.0	132.0	22,792.1
(b)	Athletics	325.0		325.0	
(c)	Knowles legislative scholarship program		912.8		912.8
(d)	Other	5,862.0		512.0	6,374.0

Performance measures:

(a) Output: Percent of full-time-equivalent capacity enrolled each fall term 95%

(b) Outcome: American college testing composite scores for graduating high school seniors 21.5

(c) Quality: Number of faculty development events 75

(d) Efficiency: Percent of cadets on scholarships or financial assistance 75%
Subtotal 30,403.9

NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED:

The purpose of the New Mexico school for the blind and visually impaired program is to provide the training, support, and resources necessary to prepare blind and visually impaired children of New Mexico to participate fully in their families, communities and the work force and to lead independent, productive lives.

Appropriations:

(a) Instruction and general
purposes 334.7 11,082.0 547.0 11,963.7
(b) Low vision clinic programs 10.0 10.0

Performance measures:

(a) Quality: Percent of parents' and districts' rating of overall
quality of services based on annual survey 95%
(b) Output: Number of students served through a full continuum of
services 1,979

Subtotal 11,973.7

NEW MEXICO SCHOOL FOR THE DEAF:

The purpose of the New Mexico school for the deaf program is to provide a school-based comprehensive, fully accessible and language-rich learning environment for its students who are deaf or hard-of-hearing and to work collaboratively with families, agencies and communities throughout the state to meet the unique communication, language and learning needs of children and youth who are deaf or hard-of-hearing.

Appropriations:

(a) Instruction and general
purposes 3,639.6 10,600.0 301.0 14,540.6
(b) Statewide outreach services 275.0 275.0

The other state funds appropriation to the New Mexico school for the deaf includes one million five hundred thousand dollars (\$1,500,000) for building maintenance and repair expenditures pursuant to campus master plan.

Performance measures:

(a) Outcome: Percent of students in grades three to twelve demonstrating

academic improvement across curriculum domains 75%

(b) Outcome: Rate of transition to postsecondary education,

vocational-technical training schools, junior colleges,

work training or employment for graduates based on a

three-year rolling average 90%

(c) Outcome: Percent of parents satisfied with educational services from

New Mexico school for the deaf 90%

Subtotal

14,815.6

TOTAL HIGHER EDUCATION 857,753.9 1,307,162.1 317.3 545,173.9 2,710,407.2

K. PUBLIC SCHOOL SUPPORT

Except as otherwise provided, unexpended balances of appropriations made in this subsection shall not revert at the end of fiscal year 2009.

PUBLIC SCHOOL SUPPORT:

(1) State equalization guarantee distribution:

The purpose of public school support is to carry out the mandate to establish and maintain a uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state.

Appropriations: 2,387,581.9 750.0 2,388,331.9

The rate of distribution of the state equalization guarantee distribution shall be based on a program unit value determined by the secretary of public education. The secretary of public education shall establish a preliminary unit value to establish budgets for the 2008-2009 school year and then, upon verification of the number of units statewide for fiscal year 2009 but no later than January 31, 2009, the secretary of public education may adjust the program unit value.

The general fund appropriation to the state equalization guarantee distribution includes thirty-nine million one hundred seventy-eight thousand six hundred dollars (\$39,178,600) to provide an average two

percent salary increase for all teachers, other instructional staff and other licensed and unlicensed staff, effective July 1, 2008. Prior to the approval of a school district's or charter school's budget, the secretary of public education shall verify that each school district or charter school is providing an average two percent salary increase for all teachers and other licensed school employees and an average two percent salary increase for nonlicensed school employees.

The general fund appropriation to the state equalization guarantee distribution includes sufficient funds to provide an additional one percent average salary increase for educational assistants, secretarial, clerical, and technical assistants; business office support staff; maintenance, custodial, warehouse, and delivery employees; and food service employees. The secretary of public education shall verify that school districts and charter schools have implemented an average two percent salary increase for these public school employees prior to the implementation of the additional one percent average salary increase for these employees.

The secretary of public education, in collaboration with the department of finance and administration, office of educational accountability, shall ensure all teachers have been evaluated under the tiered licensure evaluation system and have the appropriate level of professional competencies. The secretary of public education shall withhold from the public school distribution funding for the minimum salary of any teacher who has not been evaluated.

The general fund appropriation to the state equalization guarantee distribution contains sufficient funding to provide a three-quarter percent increase in the employer contribution to the educational retirement fund.

The general fund appropriation to the state equalization guarantee distribution contains four million eight thousand seven hundred dollars (\$4,008,700) for the increased employer share of retiree healthcare costs contingent on the enactment of Senate Bill 67 or similar legislation of the second session of the forty-eighth legislature.

The general fund appropriation to the state equalization guarantee distribution contains eight million dollars (\$8,000,000) for the second year implementation of elementary physical education for students in kindergarten through sixth grade. After considering those elementary physical education programs eligible for state financial support and the amount of state funding available for elementary physical education, the secretary of public education shall determine the programs and the consequent number of students in elementary physical education that will be used to calculate the number of elementary physical education program units.

The general fund appropriation to the state equalization guarantee distribution contains sufficient funding to increase the school year by one full instructional day which shall not be substituted with an equivalent number of minutes or hours. Prior to the approval of a school district's or charter school's budget, the secretary of public education shall verify that each school district or charter school has provided for one additional full instructional day above the 2007-2008 school year.

For the 2008-2009 school year, the state equalization guarantee distribution contains sufficient funding for school districts to implement a new formula-based program. Those districts shall use current year membership in the calculation of program units for the new formula-based program.

The general fund appropriation to the state equalization guarantee distribution reflects the deduction of federal revenue pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that includes payments commonly known as "impact aid funds" pursuant to 20 USCA 7701 et seq., and formerly known as "PL874 funds".

The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from the federal Mineral Lands Leasing Act receipts otherwise unappropriated.

Any unexpended balances in the authorized distributions remaining at the end of fiscal year 2009 from appropriations made from the general fund shall revert to the general fund.

Performance measures:

(a) Outcome: Percent of elementary school students who achieve the No

Child Left Behind Act annual measurable objective for
proficiency or above on standards-based assessments in
reading and language arts 63%

(b) Outcome: Percent of elementary school students who achieve the No

Child Left Behind Act annual measurable objective for
proficiency or above on standards-based assessments in
mathematics 50%

(c) Outcome: Percent of middle school students who achieve the No Child

Left Behind Act annual measurable objective for proficiency
or above on standards-based assessments in reading and
language arts 57%

(d) Outcome: Percent of middle school students who achieve the No Child

Left Behind Act annual measurable objective for proficiency
or above on standards-based assessments in mathematics 41%

(e) Outcome: Percent of recent New Mexico high school graduates who take

remedial courses in higher education at two-year and
four-year schools 40%

(f) Outcome: Current year's cohort graduation rate using four-year

cumulative method 80%

(g) Quality: Annual percent of core academic subjects taught by highly

qualified teachers, kindergarten through twelfth grade 100%

(2) Transportation distribution:

Appropriations: 111,048.3 111,048.3

The general fund appropriation to the transportation distribution contains nine hundred eight thousand dollars (\$908,000) to provide an average two percent salary increase for transportation employees effective July 1, 2008.

The general fund appropriation to the transportation distribution includes sufficient funds to provide an additional one percent average salary increase for transportation employees. The secretary of public education shall verify that school districts and charter schools have implemented an average two percent salary increase for these public school employees prior to the implementation of the additional one percent average salary increase for these employees.

The general fund appropriation to the transportation distribution includes sufficient funding to provide a three-quarter percent increase in the employer contribution to the educational retirement fund.

(3) Supplemental distribution:

Appropriations:

(a) Out-of-state tuition 370.0 370.0

(b) Emergency supplemental 2,000.0 2,000.0

Any unexpended balances in the supplemental distribution of the public education department remaining at the end of fiscal year 2009 from appropriations made from the general fund shall revert to the general fund.

Subtotal 2,501,750.2

FEDERAL FLOW THROUGH:

Appropriations: 438,387.0 438,387.0

Subtotal 438,387.0

INSTRUCTIONAL MATERIAL FUND:

Appropriations: 39,020.0 39,020.0

The appropriation to the instructional material fund is made from the federal Minerals Land Leasing Act (30 USCA 181, et seq.) receipts.

Subtotal 39,020.0

EDUCATIONAL TECHNOLOGY FUND:

Appropriations: 6,000.0 6,000.0

Subtotal 6,000.0

SCHOOLS IN NEED OF IMPROVEMENT FUND:

Appropriations: 2,500.0 2,500.0

Subtotal 2,500.0

SCHOOL LIBRARY MATERIAL FUND:

Appropriations: 2,000.0 2,000.0

Subtotal 2,000.0

TEACHER PROFESSIONAL DEVELOPMENT FUND:

Appropriations: 2,000.0 2,000.0

Subtotal 2,000.0

INDIAN EDUCATION FUND:

Appropriations: 2,500.0 2,500.0

The general fund appropriation to the public education department for the Indian Education Act includes five hundred thousand dollars (\$500,000) to provide a rural literacy initiative to support after-school and summer literacy block programs for students in kindergarten through eighth grade in schools with a high proportion of Native American students contingent on receipt of two hundred fifty thousand dollars (\$250,000) in matching funds from other than state sources no later than September 30, 2008.

Subtotal 2,500.0

TOTAL PUBLIC SCHOOL SUPPORT 2,555,020.2 750.0 438,387.0
2,994,157.2

GRAND TOTAL FISCAL YEAR 2009

APPROPRIATIONS 5,963,801.7 2,548,749.1 1,297,146.1 4,911,834.3 14,721,531.2

Chapter 3 Section 5 Laws 2008

Section 5. **SPECIAL APPROPRIATIONS**--The following amounts are appropriated from the general fund or other funds as indicated for the purposes specified. Unless otherwise indicated, the appropriation may be expended in fiscal years 2008 and 2009. Unless otherwise indicated, any unexpended balances of the appropriations remaining at the end of fiscal year 2009 shall revert to the appropriate fund.

~~[(1) LEGISLATIVE COUNCIL SERVICE: 100.0 100.0~~

~~For a legislative history project.~~

~~(2) LEGISLATIVE COUNCIL SERVICE: 100.0 100.0~~

~~For the creation of an interim government rulemaking oversight committee. The appropriation is from legislative cash balances.]~~

(3) SUPREME COURT: 555.4 555.4

For a fire suppression system.

(4) SUPREME COURT: 5.0 5.0

To furnish the chambers of the newly elected justice.

(5) ADMINISTRATIVE OFFICE

OF THE COURTS: 950.0 950.0

For the court facility fund. The legislative finance committee, department of finance and administration and administrative office of the courts shall study the funding of the magistrate court base budgets, the funding of the court facilities fund to pay the bonds on the Bernalillo county metropolitan court building and related funding issues, and shall submit their recommendations by October 2008 to the legislative finance committee and department of finance and administration.

~~[(6) ADMINISTRATIVE OFFICE~~

~~OF THE COURTS: 75.0 75.0~~

~~For a Dona Ana county metro court study.~~

~~(7) ADMINISTRATIVE OFFICE~~

~~OF THE COURTS: 100.0 100.0~~

~~For an independent staff study of the courts.]~~

(8) ADMINISTRATIVE OFFICE

OF THE COURTS: 2,300.0 2,300.0

For infrastructure, vehicles, information technology and security equipment for state courts.

(9) ADMINISTRATIVE OFFICE

OF THE COURTS: 950.0 950.0

To implement video arraignment and to secure, furnish and equip magistrate court facilities.

(10) SIXTH JUDICIAL DISTRICT ATTORNEY: 78.0 78.0

To replace vehicles, computers and printers.

(11) TENTH JUDICIAL DISTRICT ATTORNEY: 133.6 133.6

To replace computers, printers, furniture and telephones.

~~[(12) ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS:~~

~~The period of time for expending the one million seven hundred thousand dollars (\$1,700,000) appropriated from the general fund contained in Subsection 5 of Section 6 of Chapter 28 of Laws 2007 for repayment of the questioned costs resulting from the United States department of justice office of inspector general audit of the southwest border prosecution initiative funds administered by the department of public safety is extended through fiscal year 2009 and reappropriated for information technology expenditures.]~~

(13) DISTRICT ATTORNEYS:

Any unexpended balances remaining at the end of fiscal year 2007 from revenue received by a district attorney as grants from the United States department of justice pursuant to the southwest border prosecution initiative shall not revert but are appropriated to that district attorney for expenditure in fiscal years 2008 through 2010.

(14) ATTORNEY GENERAL:

The period of time for expending the two million four hundred thousand dollars (\$2,400,000) appropriated from the general fund contained in Subsection 9 of Section 5 of Chapter 28 of Laws 2007 to support technical and legal work relating to interstate water conflicts is extended through fiscal year 2009.

(15) ATTORNEY GENERAL:

The period of time for expending the three million dollars (\$3,000,000) appropriated from the general fund operating reserve contained in Subsection 9 of Section 5 of Chapter 4 of Laws 2002 (1st E.S.) to prepare potential litigation with Texas on water issues contingent on the state board of finance certifying the need as extended by Subsection 6 of Section 5 of Chapter 76 of Laws 2003 as extended by Subsection 10 of Section 5 of Chapter 114 of Laws 2004 as extended by Subsection 9 of Section 5 of Chapter 109 of Laws 2006 as extended by Subsection 8 of Section 5 of Chapter 28 of Laws 2007 is extended through fiscal year 2009.

(16) ATTORNEY GENERAL: 100.0 100.0

For the prosecution of death penalty cases related to the 1999 Santa Rosa prison riot.

~~[(17) ATTORNEY GENERAL: 100.0 100.0]~~

~~For preparing and filing a lawsuit against the United States for failure to provide sufficient funding for Indian health care.]~~

(18) STATE AUDITOR: 100.0 100.0

To conduct complete financial audits of regional housing authorities.

(19) TAXATION AND REVENUE

DEPARTMENT: 1,000.0 1,000.0

To replace imaging equipment, kiosks and eye-testing machines.

(20) TAXATION AND REVENUE DEPARTMENT:

The period of time for expending the one million five hundred thousand dollars (\$1,500,000) appropriated from the general fund contained in Subsection 13 of Section 5 of Chapter 109 of Laws 2006 as extended by Subsection 12 of Section 5 of Chapter 28 of Laws 2007 for equipment purchase and installation of a centralized system to issue drivers' licenses, vehicle titles and registrations and individual taxpayer identification number compliance is extended through fiscal year 2009.

(21) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 30.0 30.0

For the New Mexico activities association to contract with the New Mexico coaches association for the all-star senior games.

(22) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 25.0 25.0

For the youth sports running club in Angel Fire.

(23) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 75.0 75.0

For driving-while-intoxicated curriculum in schools.

(24) DEPARTMENT OF FINANCE AND ADMINISTRATION:

The period of time to expend the one million two hundred thousand dollars (\$1,200,000) appropriated from the general fund contained in Subsection 21 of Section 5 of Chapter 28 of Laws 2007 for Roswell air service, contingent on a revenue guarantee contract with an airline, is extended through fiscal year 2009.

(25) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 1,200.0 1,200.0

For air service, contingent on a revenue guarantee contract with an airline.

(26) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 800.0 800.0

For multi-stakeholder planning for implementation of New Mexico's portion of the Arizona Water Settlement Act of 2004.

(27) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 350.0 350.0

To implement a crisis triage center in Dona Ana county.

(28) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 200.0 200.0

For the office of education accountability to evaluate the kindergarten-three-plus and pre-kindergarten programs. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.

(29) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 150.0 150.0

For a six- to nine-month long-term substance abuse and alcohol treatment rehabilitation program at the westside correctional facility in Albuquerque in Bernalillo county. ~~[No more than five percent of the appropriation may be used for administration by the university of New Mexico.]~~

(30) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 935.0 935.0

To develop a training model for financial transaction recording and reporting, including the payroll and human capital management modules of the statewide human resources, accounting and management reporting system.

(31) DEPARTMENT OF FINANCE AND

ADMINISTRATION: 300.0 300.0

To develop specialized geodatabases for census blocks and to implement these databases as a tool for state-level participation in the local update census addresses program.

~~[(32) RETIREE HEALTH CARE AUTHORITY: 190.0 190.0]~~

~~To hire six temporary full-time equivalent positions for six months and for equipment and training in the customer services program.]~~

(33) GENERAL SERVICES DEPARTMENT: 841.8

841.8

For one-year bridge funding for aviation services to transition to full enterprise revenue in fiscal year 2010.

(34) PUBLIC DEFENDER DEPARTMENT:

The period of time for expending the eight hundred seventy thousand dollars (\$870,000) appropriated from the general fund contained in Subsection 27 of Section 5 of Chapter 114 of Laws 2004 as extended by Subsection 27 of Section 5 of Chapter 33 of Laws 2005 as extended by Subsection 24 of Section 5 of Chapter 109 of Laws 2006 as extended by Subsection 28 of Section 5 of Chapter 28 of Laws 2007 for defense of the Santa Rosa prison riot cases is extended through fiscal year 2009.

(35) PUBLIC DEFENDER DEPARTMENT:

The period of time for expending the three hundred thousand dollars (\$300,000) appropriated from the general fund contained in Subsection 26 of Section 5 of Chapter 33 of Laws 2005 as extended by Subsection 26 of Section 5 of Chapter 109 of Laws 2006 as extended by Subsection 26 of Section 5 of Chapter 28 of Laws 2007 for providing a fee structure for contracting representation of defendants in death penalty cases is extended through fiscal year 2009.

(36) PUBLIC DEFENDER DEPARTMENT:

The period of time for expending the two hundred fifty thousand dollars (\$250,000) appropriated from the general fund in Subsection 25 of Section 5 of Chapter 109 of Laws 2006 as extended by Subsection 27 of Section 5 of Chapter 28 of Laws 2007 for litigation expenses related to drug cartel case defense is extended through fiscal year 2009.

(37) LIEUTENANT GOVERNOR: 40.0 40.0

To organize a class of the century for the New Mexico centennial celebration.

(38) DEPARTMENT OF INFORMATION

TECHNOLOGY: 2,555.0 2,555.0

For staffing and operation expenses for the New Mexico computing applications center.

(39) PUBLIC EMPLOYEES RETIREMENT

ASSOCIATION: 1,700.0 1,700.0

For software upgrades.

(40) PUBLIC EMPLOYEES RETIREMENT

ASSOCIATION: 230.0 230.0

To upgrade digital imaging capabilities.

(41) STATE COMMISSION OF PUBLIC RECORDS:

The period of time for expending the forty-five thousand dollars (\$45,000) appropriated from the general fund contained in Section 7 of Chapter 21 of Laws 2007 to prepare title abstracts of state-owned property within former common lands of community land grants is extended through fiscal year 2009.

(42) SECRETARY OF STATE: 3,000.0 3,000.0

For the 2008 general election.

(43) SECRETARY OF STATE: 150.0 150.0

To enhance the limited partnership software.

(44) BORDER AUTHORITY: 50.0 50.0

To update computer equipment, servers and wiring at the new border authority building.

(45) TOURISM DEPARTMENT: 500.0 500.0

For advertising and promotion of New Mexico.

(46) TOURISM DEPARTMENT: 200.0 200.0

For contracts to promote statewide sporting events.

(47) TOURISM DEPARTMENT: 50.0 50.0

For title sponsorship of the New Mexico bowl.

(48) ECONOMIC DEVELOPMENT DEPARTMENT: 100.0 100.0

For New Mexico community capital to enhance access to capital for underserved businesses.

(49) ECONOMIC DEVELOPMENT

DEPARTMENT: 7,000.0 7,000.0

To the development training fund for the job training incentive program.

(50) ECONOMIC DEVELOPMENT

DEPARTMENT: 1,000.0 1,000.0

To the mainstreet capital outlay grant fund to provide low-cost financial assistance to owners of eligible properties for the redevelopment of central business districts statewide.

(51) ECONOMIC DEVELOPMENT DEPARTMENT:

Up to five hundred thousand dollars (\$500,000) is appropriated from the appropriation contingency fund for operations of the x-prize cup provided that a spaceport district is formed by the passage of a spaceport district tax by a local government in addition to Dona Ana county and a third local government

has passed a resolution to seek a spaceport district tax and has scheduled the district tax election before December 2008.

(52) ECONOMIC DEVELOPMENT DEPARTMENT: 250.0 250.0

For operations of the x-prize cup.

(53) REGULATION AND LICENSING

DEPARTMENT: 100.0 100.0

For the save smart energy conservation building program in the construction industries division.

(54) PUBLIC REGULATION COMMISSION: 30.0 30.0

For a qwest performance assurance plan.

(55) PUBLIC REGULATION COMMISSION: 800.0 800.0

For rental expenses [at Marian hall].

(56) PUBLIC REGULATION COMMISSION:

The period of time for expending the two hundred forty-six thousand dollars (\$246,000) appropriated from the general fund and the fifty-three thousand five hundred dollars (\$53,500) appropriated from other state funds contained in Subsection 42 of Section 5 of Chapter 28 of Laws 2007 for enhancements to information technology systems, software and facilities, contingent on the information technology project plan being approved by the state chief information officer, is extended through fiscal year 2009.

(57) PUBLIC REGULATION COMMISSION: 50.0 50.0

To repair the firefighter training academy parking lot.

(58) CULTURAL AFFAIRS DEPARTMENT: 250.0 250.0

For moving costs of the New Mexico history museum.

(59) CULTURAL AFFAIRS DEPARTMENT: 100.0 100.0

For planning and implementation of centennial activities.

(60) CULTURAL AFFAIRS DEPARTMENT: 350.0 350.0

To promote the museum of New Mexico's 100th anniversary and for marketing the opening of the New Mexico history museum.

(61) DEPARTMENT OF GAME AND FISH:

The period of time for expending the three hundred thousand dollars (\$300,000) appropriated from the general fund contained in Subsection 50 of Section 5 of Chapter 28 of Laws 2007 for completion of a

master plan for the Pecos canyon area in San Miguel, Santa Fe and Mora counties is extended through fiscal year 2009 and reappropriated for improvements of recreational facilities.

(62) DEPARTMENT OF GAME AND FISH: 400.0 400.0

For completion of the Santa Rosa warm water fish hatchery.

(63) ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT:

The period of time for expending the three hundred thousand dollars (\$300,000) appropriated from the general fund contained in Subsection 53 of Section 5 of Chapter 33 of Laws 2005 for acquisition and planning at Shakespeare ghost town state park as extended by Subsection 52 of Section 5 of Chapter 109 of Laws 2006 as extended by Subsection 51 of Section 5 of Chapter 28 of Laws 2007 for capital improvements or land acquisition at Pancho Villa, rockhound, city of rocks or Percha state parks is extended through fiscal 2009.

(64) ENERGY, MINERALS AND

NATURAL RESOURCES DEPARTMENT: 250.0 250.0

For the renewable energy transmission authority.

(65) ENERGY, MINERALS AND

NATURAL RESOURCES DEPARTMENT: 100.0 100.0

For vehicles for the healthy forests program.

(66) COMMISSIONER OF PUBLIC LANDS: 500.0 500.0

For the land stewardship program.

(67) STATE ENGINEER: 300.0 300.0

To update the state water plan.

(68) STATE ENGINEER: 75.0 75.0

For the engineering and design of acequia construction.

(69) COMMISSION ON THE STATUS OF WOMEN:

The period of time for expending the fourteen thousand dollars (\$14,000) appropriated from the general fund contained in Subsection 56 of Section 5 of Chapter 28 of Laws 2007 for the 2008 meeting of the national association of commissions for women is extended through fiscal year 2009.

(70) AGING AND LONG-TERM SERVICES DEPARTMENT:

Any unexpended balances remaining from the general fund appropriation made to the long-term services division of the aging and long-term services department in Section 4 of Chapter 28 of Laws 2007 for long-term brain injury waiver services shall not revert to the general fund but shall be deposited into the brain

injury services fund and is appropriated to the long-term services division of the aging and long-term services department for the purposes specified in Section 24-1-24 NMSA 1978.

~~[(71) AGING AND LONG-TERM SERVICES~~

~~DEPARTMENT: 100.0 _____ 100.0~~

~~To facilitate interest and start-up of micro boards supporting individuals with disabilities.]~~

(72) HUMAN SERVICES DEPARTMENT:

The period of time for expending the four hundred two thousand five hundred dollars (\$402,500) appropriated from the general fund and the seven hundred twenty-eight thousand nine hundred dollars (\$728,900) in federal funds contained in Subsection 59 of Section 5 of Chapter 28 of Laws 2007 for updates to information technology systems related to changes in the federal temporary assistance for needy families program is extended through fiscal year 2009.

(73) HUMAN SERVICES DEPARTMENT: 2,000.0 2,000.0

For the low-income home energy assistance program. No less than fifteen percent and no more than twenty-five percent of the appropriation shall be expended by the weatherization program.

(74) WORKFORCE SOLUTIONS DEPARTMENT: 800.0 800.0

To fund operations as nonrecurring for two years until trust fund revenues materialize.

~~[(75) DEPARTMENT OF HEALTH: 150.0 _____ 150.0~~

~~For establishment, implementation and outreach of the Native American health commission, contingent on enactment of Senate Bill 436 or similar legislation of the second session of the forty-eighth legislature.]~~

(76) DEPARTMENT OF HEALTH: 375.0 375.0

To purchase analytical equipment to support driving-while-intoxicated and autopsy testing, environmental testing and communicable disease outbreak detection.

(77) DEPARTMENT OF HEALTH: 250.0 250.0

To provide operational support and services at the women's health services facility in Santa Fe.

(78) DEPARTMENT OF ENVIRONMENT:

The period of time for expending the two hundred ninety-five thousand dollars (\$295,000) appropriated from the general fund contained in Subsection 77 of Section 5 of Chapter 28 of Laws 2007 for the cleanup of the Terrero mine site for which the state of New Mexico is the responsible party is extended through fiscal year 2009.

(79) VETERANS' SERVICE DEPARTMENT: 1,300.0 1,300.0

For early detection of lung cancer for veterans.

~~[(80) CHILDREN, YOUTH AND FAMILIES DEPARTMENT:~~

~~Any unexpended balances remaining from the general fund appropriation made to the family services program of the children, youth and families department in Section 4 of Chapter 109 of Laws 2006 for home visiting shall not revert to the general fund but shall be appropriated to the family services program of the children, youth and families department to expand the longitudinal study of the program, study the potential for medicaid funding for home visiting, develop a home visiting web site and develop a home visiting database.]~~

(81) CHILDREN, YOUTH AND FAMILIES

DEPARTMENT:750.0 750.0

For implementation of the Missouri model for juveniles.

(82) CHILDREN, YOUTH AND FAMILIES DEPARTMENT:

The period of time for expending the one million dollars (\$1,000,000) appropriated from the general fund contained in Subsection 86 of Section 5 of Chapter 109 of Laws 2006 as extended by Subsection 83 of Section 5 of Chapter 28 of Laws 2007 to match the Los Alamos national laboratory foundation home visiting efforts is extended through fiscal year 2009.

(83) CHILDREN, YOUTH AND FAMILIES

DEPARTMENT:300.0 300.0

For the lease of additional vehicles.

(84) DEPARTMENT OF MILITARY AFFAIRS: 200.0 200.0

To promote the U.S.S. New Mexico and educate the crew about the state.

(85) CORRECTIONS DEPARTMENT: 500.0 500.0

For equipment and security improvements at correctional facilities and probation and parole offices.

~~[(86) CORRECTIONS DEPARTMENT: 100.0 100.0~~

~~For kitchen equipment at correctional facilities.]~~

(87) CORRECTIONS DEPARTMENT: 150.0 150.0

For purchase of modular units.

(88) CORRECTIONS DEPARTMENT: 445.0 445.0

To purchase an emergency generator and to build a vehicle service bay with storage unit.

(89) CORRECTIONS DEPARTMENT:

The period of time for expending the seven hundred five thousand four hundred dollars (\$705,400) appropriated from the general fund contained in Subsection 86 of Section 5 of Chapter 28 of Laws 2007 for video conferencing telecommunications is extended through fiscal year 2009.

(90) DEPARTMENT OF PUBLIC SAFETY:

The period of time for expending the eight hundred fifty thousand dollars (\$850,000) appropriated from the general fund contained in Subsection 88 of Section 5 of Chapter 28 of Laws 2007 for rewiring of state police district offices statewide is extended through fiscal year 2009.

(91) DEPARTMENT OF PUBLIC SAFETY: 1,400.0 1,400.0

To replace vehicles.

(92) DEPARTMENT OF TRANSPORTATION:

The other state funds and federal funds appropriations to the programs and infrastructure program of the department of transportation for expenditure in prior fiscal years may be extended through fiscal year 2009 but shall not exceed three hundred twenty million dollars (\$320,000,000).

(93) DEPARTMENT OF TRANSPORTATION:

The other state funds and federal funds appropriations to the transportation and highway operations program of the department of transportation for expenditure in prior fiscal years may be extended through fiscal year 2009 but shall not exceed eighty million dollars (\$80,000,000).

(94) DEPARTMENT OF TRANSPORTATION: 18,577.9
18,577.9

To offset incurred oil and maintenance costs for all state road activities.

(95) DEPARTMENT OF TRANSPORTATION: 24,000.0
24,000.0

To supplement the highway maintenance fund.

(96) PUBLIC EDUCATION DEPARTMENT: 4,000.0 4,000.0

For assessment and test development. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.

(97) PUBLIC EDUCATION DEPARTMENT:

The period of time for expending the one million five hundred thousand dollars (\$1,500,000) appropriated from the general fund contained in Subsection 102 of Section 5 of Chapter 28 of Laws 2007 for the eleventh grade exit examination is extended through fiscal year 2009. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.

(98) PUBLIC EDUCATION DEPARTMENT:

Thirteen million dollars (\$13,000,000) is appropriated from the appropriation contingency fund to close out the federal fiscal year 2006 grants and the federal fiscal year 2007 grants in fiscal years 2009 and 2010 contingent on review by the department of finance and administration [~~and the legislative finance committee~~] and approval by the board of finance.

(99) PUBLIC EDUCATION DEPARTMENT: 2,000.0 2,000.0

To close out the federal fiscal year 2005 grants in fiscal years 2008 and 2009 contingent on review by the department of finance and administration [and the legislative finance committee] and approval by the board of finance.

(100) PUBLIC EDUCATION DEPARTMENT: 5,000.0 5,000.0

For emergency support to school districts experiencing shortfalls in operating budgets in fiscal year 2009.

~~(101) PUBLIC EDUCATION DEPARTMENT: 160.0 160.0~~

~~To reimburse public school districts for expenses related to students who are homeschooled and designated as qualifying for special education services and receiving services from public school districts.]~~

(102) PUBLIC EDUCATION DEPARTMENT:

The period of time for expending the two hundred fifty thousand dollars (\$250,000) appropriated from the general fund contained in Subsection 103 of Section 5 of Chapter 28 of Laws 2007 for the New Mexico outdoor classroom initiative is extended through fiscal year 2009. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.

(103) PUBLIC EDUCATION DEPARTMENT: 400.0 400.0

For pre-kindergarten start-up costs. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.

(104) PUBLIC EDUCATION DEPARTMENT:

Notwithstanding provisions of Subsection 113 of Section 5 of Chapter 109 of Laws 2006 and Subsection 99 of Section 5 of Chapter 28 of Laws 2007, cash advances distributed to regional education cooperatives shall not be returned to the public education department but shall be retained by the regional education cooperative if the regional education cooperative justifies a need for not returning the cash advance. Any undistributed funds appropriated for regional education cooperative cash flow assistance remaining at the end of fiscal year 2009 shall revert to the general fund.

(105) PUBLIC EDUCATION DEPARTMENT: 200.0 200.0

For summer day camp in Santa Fe.

(106) PUBLIC EDUCATION DEPARTMENT: 1,277.0 1,277.0

Eight hundred seventy-seven thousand dollars (\$877,000) for the student and teacher accountability reporting system hosting services and four hundred thousand dollars (\$400,000) for the operating budget management system hosting services at the department of information technology and help desk support. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.

(107) PUBLIC EDUCATION DEPARTMENT: 100.0 100.0

For the state high school basketball tournament.

(108) HIGHER EDUCATION DEPARTMENT: 150.0 150.0

To provide resources for a square-foot verification, to maintain the condition management estimation technology database resulting from the facilities condition index study and to support a review of formula funding of facilities.

~~(109) HIGHER EDUCATION DEPARTMENT: 1,425.0 1,425.0~~

~~To the college affordability endowment fund. Prior to distribution, the higher education department shall require an accountability plan from higher education institutions.]~~

(110) HIGHER EDUCATION DEPARTMENT: 5,600.0 5,600.0

To the faculty endowment fund, including six hundred thousand dollars (\$600,000) for the establishment of the Pamela Minzner professorship at the university of New Mexico school of law.

(111) UNIVERSITY OF NEW MEXICO: 25.0 25.0

For a Latin America technology information network.

(112) UNIVERSITY OF NEW MEXICO: 25.0 25.0

For club sports, excluding rugby.

(113) UNIVERSITY OF NEW MEXICO: 150.0 150.0

For rugby club sports.

(114) UNIVERSITY OF NEW MEXICO: 50.0 50.0

For the center for regional studies.

(115) UNIVERSITY OF NEW MEXICO: 25.0 25.0

For the Latin American and Iberian institute.

(116) UNIVERSITY OF NEW MEXICO: 50.0 50.0

For the Ibero-American science and technology education consortium to contract with the energy council for Mexico and South American outreach.

(117) UNIVERSITY OF NEW MEXICO: 300.0 300.0

For the pediatric oncology program.

~~(118) UNIVERSITY OF NEW MEXICO: 1,472.0 1,472.0~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance at the university of New Mexico Taos campus.~~

~~(119) UNIVERSITY OF NEW MEXICO: 355.0 355.0~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance at the university of New Mexico Valencia campus.]~~

~~(120) UNIVERSITY OF NEW MEXICO: 5,000.0 5,000.0~~

~~To purchase patient care equipment.~~

~~(121) NEW MEXICO STATE UNIVERSITY: 450.0 450.0~~

~~To the New Mexico department of agriculture for the acequia and community ditch fund.~~

~~(122) NEW MEXICO STATE UNIVERSITY: 30.0 30.0~~

~~For rugby club sports.~~

~~(123) NEW MEXICO STATE UNIVERSITY: 30.0 30.0~~

~~For the center for media arts.~~

~~(124) NEW MEXICO STATE UNIVERSITY: 180.0 180.0~~

~~To the New Mexico department of agriculture to migrate data from the mainframe to a server environment, complete the geographical information system database, hire one full-time-equivalent programmer and pay for server licensing agreements.~~

~~[(125) NEW MEXICO HIGHLANDS UNIVERSITY: 260.9 260.9~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.]~~

~~(126) NEW MEXICO HIGHLANDS UNIVERSITY: 200.0 200.0~~

~~For the diverse populations center.~~

~~[(127) WESTERN NEW MEXICO UNIVERSITY: 300.0 300.0~~

~~For the master in social work program.~~

~~(128) WESTERN NEW MEXICO UNIVERSITY: 875.7 875.7~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(129) EASTERN NEW MEXICO UNIVERSITY: 18.5 18.5~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(130) EASTERN NEW MEXICO UNIVERSITY: 446.3 446.3~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance at the eastern New Mexico university Roswell campus.~~

~~(131) EASTERN NEW MEXICO UNIVERSITY: 75.3 75.3~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance at the eastern New Mexico university Ruidoso campus.]~~

(132) NEW MEXICO INSTITUTE OF
MINING AND TECHNOLOGY: 400.0 400.0

To provide matching funds for the petroleum recovery research center's federal carbon sequestration project.

~~[(133) NEW MEXICO INSTITUTE OF
MINING AND TECHNOLOGY: 250.0 250.0~~

~~For the geophysical research center.~~

~~(134) NEW MEXICO INSTITUTE OF
MINING AND TECHNOLOGY: 79.8 79.8~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.]~~

(135) NORTHERN NEW MEXICO COLLEGE: 900.0 900.0

For start-up funding for new degree programs.

~~[(136) NORTHERN NEW MEXICO COLLEGE: 91.2 91.2~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(137) SANTA FE COMMUNITY COLLEGE: 782.8 782.8~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(138) LUNA COMMUNITY COLLEGE: 728.7 728.7~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(139) MESALANDS COMMUNITY COLLEGE: 56.9 56.9~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(140) SAN JUAN COLLEGE: 362.3 362.3~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(141) CLOVIS COMMUNITY COLLEGE: 97.9 97.9~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(142) NEW MEXICO MILITARY INSTITUTE: 247.0 247.0~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.~~

~~(143) NEW MEXICO SCHOOL FOR THE DEAF: 345.0 345.0~~

~~To provide a one-time supplement for addressing the backlog of deferred maintenance.]~~

(144) DRINKING WATER STATE

REVOLVING LOAN FUND: 1,000.0 1,000.0

To the drinking water state revolving loan fund for matching funds for federal Safe Drinking Water Act of 1974 projects and to carry out the purposes of the Drinking Water State Revolving Loan Fund Act.

TOTAL SPECIAL APPROPRIATIONS 115,312.4 3,931.6 119,244.0

Chapter 3 Section 6 Laws 2008

Section 6. **SUPPLEMENTAL AND DEFICIENCY APPROPRIATIONS.**--The following amounts are appropriated from the general fund, or other funds as indicated, for expenditure in fiscal year 2008 for the purposes specified. Disbursement of these amounts shall be subject to certification by the agency to the department of finance and administration [~~and the legislative finance committee~~] that no other funds are available in fiscal year 2008 for the purpose specified and approval by the department of finance and administration. Any unexpended balances remaining at the end of fiscal year 2008 shall revert to the appropriate fund.

(1) SUPREME COURT: 10.0 10.0

For transcription of recorded criminal cases.

(2) ADMINISTRATIVE OFFICE

OF THE COURTS: 489.0 489.0

For expenses incurred in fiscal year 2007 in the jury and witness program.

(3) ADMINISTRATIVE OFFICE

OF THE COURTS: 300.0 300.0

For juror and interpreter payments.

(4) ADMINISTRATIVE OFFICE

OF THE COURTS: 150.0 150.0

To increase the court-appointed attorney fund.

(5) SUPREME COURT BUILDING
COMMISSION: 10.6 10.6

For repairs and equipment.

(6) SECOND JUDICIAL
DISTRICT ATTORNEY: 140.0 140.0

For salary and benefits of four full-time-equivalent positions in the domestic violence project unit.

(7) EIGHTH JUDICIAL
DISTRICT ATTORNEY: 2.6 2.6

To pay for a shortfall in public employees retirement contributions in fiscal year 2007.

(8) DEPARTMENT OF INFORMATION
TECHNOLOGY: 900.0 900.0

To restore fund balance for payment of a federal claim for overcharges of information technology services.

(9) DEPARTMENT OF INFORMATION
TECHNOLOGY: 2,800.0 2,800.0

For payment to the federal government for overcharged information technology services, contingent on the department of information technology certifying to the department of finance and administration and the legislative finance committee that an adverse decision against the state has been made in the court case of New Mexico department of information technology v U.S. department of health and human services and Michael O'Leavitt in federal district court.

(10) PUBLIC EMPLOYEES RETIREMENT
ASSOCIATION: 4,902.6 4,902.6

To pay fiscal year 2007 fourth quarter invoices for investment managers.

(11) SECRETARY OF STATE: 500.0 500.0

For 2008 primary election costs.

(12) STATE TREASURER: 100.0 100.0

For implementation of a disaster recovery plan.

(13) BOARD OF EXAMINERS FOR ARCHITECTS: 5.4 5.4

For an over-expenditure in the personal services and employee benefits category in fiscal year 2007.

(14) BOARD OF NURSING: 12.2 12.2

For an over-expenditure in the personal services and employee benefits category in fiscal year 2007.

(15) NEW MEXICO LIVESTOCK BOARD: 91.6 91.6

For a shortfall due to loss of federal cooperative matching funds.

(16) NEW MEXICO LIVESTOCK BOARD: 121.0 121.0

For replacement of federal funds in the meat inspection program.

(17) NEW MEXICO LIVESTOCK BOARD: 125.0 125.0

To replace federal funds for state veterinarians to address animal disease issues.

(18) HUMAN SERVICES DEPARTMENT: 14,500.0 27,000.0
41,500.0

For additional caseloads in medicaid.

(19) HUMAN SERVICES DEPARTMENT: 957.6 1,436.4 2,394.0

For information technology charges in the information technology division.

(20) WORKFORCE SOLUTIONS DEPARTMENT: 300.0 300.0

For compensation increases which exceed appropriations in the General Appropriation Act of 2007.

(21) DEPARTMENT OF HEALTH: 500.0 500.0

For receivership expenses.

(22) DEPARTMENT OF HEALTH: 750.0 750.0

For shortfalls at the Los Lunas community program for special needs developmentally disabled individuals.

(23) DEPARTMENT OF HEALTH: 200.0 200.0

To increase the number of licensing surveys conducted in health care facilities.

(24) VETERANS' SERVICE DEPARTMENT: 150.0 150.0

For services to homeless veterans.

(25) CHILDREN, YOUTH AND

FAMILIES DEPARTMENT: 997.9 997.9

For costs associated with a federal audit of the Title IV-E university stipend program.

(26) CHILDREN, YOUTH AND

FAMILIES DEPARTMENT: 1,994.0 1,994.0

For shortfalls and special needs in the protective services program.

(27) DEPARTMENT OF PUBLIC SAFETY: 1,000.0 1,000.0

For fuel for the state police fleet.

(28) PUBLIC EDUCATION DEPARTMENT: 62.0 62.0

For information service division and motor pool charges incurred in fiscal year 2007.

(29) HIGHER EDUCATION DEPARTMENT: 80.0 80.0

For shortfalls in personal services and employee benefits.

(30) PUBLIC SCHOOL SUPPORT: 1,600.0 1,600.0

For fuel for public school buses.

TOTAL SUPPLEMENTAL AND

DEFICIENCY APPROPRIATIONS 28,618.7 5,132.8 28,436.4 62,187.9

Chapter 3 Section 7 Laws 2008

Section 7. **DATA PROCESSING APPROPRIATIONS.**--The following amounts are appropriated from the general fund, or other funds as indicated, for the purposes specified. The appropriation may be expended in fiscal years 2008, 2009 and 2010. Any unexpended balances remaining at the end of fiscal year 2010 shall revert to the general fund or other funds as appropriate. For executive branch agencies, the department of finance and administration shall allocate amounts from the general fund for the purposes specified upon receiving certification and supporting documentation from the state chief information officer that indicates compliance with the [~~information technology commission~~] project certification process. For the judicial branch, the department of finance and administration shall allocate amounts from the general fund for the purposes specified upon receiving certification and supporting documentation from the judicial information systems council certifying compliance with the judicial certification process. For executive branch agencies, all hardware and software purchases or leases funded through appropriations made in Sections 4, 5, 6 and 7 of this act shall be procured using consolidated purchasing led by the state chief information officer and general services department, purchasing division to achieve economies of scale and to provide the state with the best unit price.

(1) ADMINISTRATIVE OFFICE OF THE COURTS:

The period of time for expending the seven hundred fifty thousand dollars (\$750,000) appropriated from the computer systems enhancement fund contained in Subsection 2 of Section 7 of Chapter 109 of Laws

2006 as extended by Subsection 1 of Section 7 of Chapter 28 of Laws 2007 to conduct a needs assessment and document business requirements for an integrated and consolidated case management system, including system interface specifications to allow for integration of existing and future electronic document management and electronic filing system for all court levels, and for a proof of concept to determine future direction is granted a final extension through fiscal year 2010. The period of time for expending the six million dollars (\$6,000,000) appropriated from the computer systems enhancement fund contained in Subsection 2 of Section 7 of Chapter 28 of Laws 2007 to replace the case management system with an integrated and consolidated commercial off-the-shelf case management system for all court levels, including interfacing with the electronic document management and electronic filing is extended through fiscal year 2010.

(2) ADMINISTRATIVE OFFICE

OF THE COURTS: 2,000.0 2,000.0

To include the Bernalillo county metropolitan court in the implementation of the statewide integrated and consolidated case management system with electronic document management and electronic filing capabilities.

(3) ADMINISTRATIVE OFFICE OF THE COURTS:

The period of time for expending the one million six hundred thousand dollars (\$1,600,000) appropriated from the computer systems enhancement fund contained in Subsection 4 of Section 7 of Chapter 28 of Laws 2007 to complete the implementation of electronic document management at the second judicial district court and to begin implementation at the thirteenth judicial district court is extended through fiscal year 2010.

(4) TAXATION AND REVENUE DEPARTMENT: 300.0 300.0

To convert the integrated database management system to database 2.

(5) TAXATION AND REVENUE

DEPARTMENT: 4,120.0 4,120.0

To begin the replacement of the common business oriented language-based motor vehicle driver system.

(6) TAXATION AND REVENUE DEPARTMENT:

The period of time for expending the two million dollars (\$2,000,000) appropriated from the computer systems enhancement fund contained in Subsection 4 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 6 of Section 7 of Chapter 28 of Laws 2007 to address network and security deficiencies identified in the motor vehicle system needs assessment is granted a final extension through fiscal year 2010. All improvements shall provide a basis for any replacement system identified at the conclusion of the previously funded needs assessment.

(7) TAXATION AND REVENUE

DEPARTMENT: 667.0 333.0 1,000.0

To begin replacement of the oil and natural gas accounting and reporting database with commercial off-the-shelf solutions. The other state funds appropriation is from the state lands maintenance fund.

(8) TAXATION AND REVENUE DEPARTMENT:

The period of time for expending the five hundred thousand dollars (\$500,000) appropriated from the computer systems enhancement fund contained in Subsection 7 of Section 7 of Chapter 28 of Laws 2007 to plan the replacement of the oil and natural gas accounting revenue database, including due diligence visits to other locations, is extended through fiscal year 2010.

(9) TAXATION AND REVENUE DEPARTMENT: 2,752.5 2,752.5

To implement point-of-sale at all motor vehicle offices. The appropriation is from motor vehicle division cash balances.

(10) DEPARTMENT OF FINANCE

AND ADMINISTRATION: 1,790.0 500.0 2,290.0

For the statewide human resource, accounting and management reporting system as follows: two hundred forty thousand dollars (\$240,000) to configure the system to allow the state treasurer to calculate daily interest on self-earning accounts and to interface with its investment system; five hundred thousand dollars (\$500,000) for strategic sourcing and electronic procurement configuration for the general services department purchasing division; eight hundred thousand dollars (\$800,000) to implement and interface a standard timekeeping system at all department of health facilities; two hundred fifty thousand dollars (\$250,000) for a business process analysis, needs assessment and gap analysis to address critical needs in capital projects accounting, budget preparation and General Appropriation Act preparation[; and five hundred thousand dollars (\$500,000) from the computer systems enhancement fund for a data warehouse that will allow access to non-confidential data for analytical purposes].

(11) RETIREE HEALTH CARE AUTHORITY: 500.0 500.0

To plan and select a commercial off-the-shelf replacement system for retiree health care benefits and reengineer business processes, if necessary, contingent on the department of information technology providing technical and project management assistance. The appropriation is from the retiree health care fund.

(12) GENERAL SERVICES DEPARTMENT:

The period of time for expending the two million three hundred thousand dollars (\$2,300,000) appropriated from the risk management fund contained in Subsection 8 of Section 7 of Chapter 28 of Laws 2007 to replace the claims management system, implement a medical benefits data warehouse and plan and implement enterprise content management is extended through fiscal year 2010.

(13) DEPARTMENT OF INFORMATION

TECHNOLOGY: 250.0 250.0

For an assessment and feasibility study for redundancy of the most critical information technology-based services and applications.

(14) DEPARTMENT OF INFORMATION

TECHNOLOGY:

The period of time for expending the one million five hundred thousand dollars (\$1,500,000) appropriated from the computer systems enhancement fund contained in Subsection 9 of Section 7 of Chapter 28 of Laws 2007 to implement a trusted state network to authenticate users is extended through fiscal year 2010.

(15) DEPARTMENT OF INFORMATION TECHNOLOGY:

The period of time for expending the two million dollars (\$2,000,000) appropriated from the computer systems enhancement fund contained in Subsection 10 of Section 7 of Chapter 28 of Laws 2007 to continue the analog-to-digital microwave tower constructions and necessary upgrades in the remaining parts of the state is extended through fiscal year 2010. ~~[The department of information technology shall provide monthly status reports to the legislative finance committee, the department of finance and administration and the information technology commission.]~~ The period of time for expending the four million eight hundred thousand dollars (\$4,800,000) appropriated from the computer systems enhancement fund contained in Subsection 6 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 11 of Section 7 of Chapter 28 of Laws 2007 to continue telecommunication infrastructure in the southeast quadrant of New Mexico is granted a final extension through fiscal year 2010. The bandwidth shall be of sufficient capacity to accommodate distance education, telehealth services and corrections department needs. The department of information technology shall serve as lead agency for this project. Funding is contingent on submission of a telecommunications architecture plan by the department of information technology to the information technology commission ~~[, information technology oversight committee, legislative finance committee]~~ and department of finance and administration. The telecommunications architecture plan shall be in accordance with the state information architecture, information technology consolidation plan and enterprisewide information security program and shall be approved by the information technology commission. The telecommunications architecture plan shall include a cost and savings analysis by agency. The state-owned digital microwave telecommunications system shall be used at all possible locations to enhance statewide telecommunications and leverage state-owned resources without incurring additional costs. The department of information technology shall provide monthly, written status reports to the legislative finance committee, the department of finance and administration and the information technology commission. Funds for this appropriation shall not be used to pay for contracted consultant services and shall be limited to the purchase of telecommunications circuits and related hardware and software in accordance with the telecommunications architecture plan.

(16) STATE COMMISSION OF

PUBLIC RECORDS: 150.0 150.0

To implement a commercial off-the-shelf centralized records repository system with assistance from the department of information technology.

(17) SECRETARY OF STATE: 176.5 176.5

To enhance the secretary of state knowledgebase campaign reporting system to include records management, area code changes, and Help America Vote Act voter identification requirements.

(18) SECRETARY OF STATE:

The period of time for expending the one hundred twelve thousand dollars (\$112,000) appropriated from the computer systems enhancement fund contained in Subsection 10 of Section 7 of Chapter 33 of Laws 2005 as extended by Subsection 11 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 14 of Section 7 of Chapter 28 of Laws 2007 to complete the implementation of trademark, agricultural lien and campaign reporting modules of the secretary of state knowledgebase application is granted a final extension through fiscal year 2010.

(19) SECRETARY OF STATE: 150.0 150.0

To implement upgrades to the voter registration election management system for political finance reporting.

(20) REGULATION AND LICENSING DEPARTMENT:

The period of time for expending the one hundred seventeen thousand four hundred dollars (\$117,400) appropriated from the real estate commission fund contained in Subsection 15 of Section 7 of Chapter 28 of Laws 2007 to upgrade license 2000 for real estate commission needs is extended through fiscal year 2010.

(21) REGULATION AND LICENSING

DEPARTMENT: 138.5 46.2 184.7

To provide wireless inspection capabilities that will interface with license 2000. The appropriation is proportionately from the general, barbers and cosmetologists, pharmacy, private investigator and polygrapher, and thanatopractice license funds.

(22) CULTURAL AFFAIRS DEPARTMENT: 560.0 560.0

To migrate the New Mexico cultural information system to newer technology.

(23) STATE ENGINEER: 200.0 200.0

To complete development and implementation of the data extract, transform and load tools and processes to allow data exchange between the water rights adjudication tracking system and the waters administration technical engineering resource system.

(24) AGING AND LONG-TERM SERVICES DEPARTMENT:

The period of time for expending the four hundred thousand dollars (\$400,000) appropriated from the computer systems enhancement fund contained in Subsection 17 of Section 7 of Chapter 28 of Laws 2007 to implement an adult protective services system is extended through fiscal year 2010.

(25) HUMAN SERVICES DEPARTMENT:

The period of time for expending the one million two hundred thousand dollars (\$1,200,000) appropriated from the computer systems enhancement fund and the eight hundred thousand dollars (\$800,000) in federal funds contained in Subsection 6 of Section 8 of Chapter 114 of Laws 2004 as extended by Subsection 18 of Section 7 of Chapter 33 of Laws 2005 as extended by Subsection 15 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 18 of Section 7 of Chapter 28 of Laws 2007 for implementing a multi-agency system for imaging and archiving documents electronically to improve access, integration and accuracy of information is granted a final extension through fiscal year 2010. The human services department shall serve as lead agency using a multi-agency steering committee composed of, at a minimum, the state commission of public records and the taxation and revenue department. The portion of this appropriation related to the human services department is contingent on receiving written approval from the federal funding agency.

(26) HUMAN SERVICES DEPARTMENT:

The period of time for expending the two million dollars (\$2,000,000) appropriated from the computer systems enhancement fund contained in Subsection 19 of Section 7 of Chapter 28 of Laws 2007 to consolidate eligibility determination across state agencies, including screening, intake, application processing, assessment, scheduling and referrals is extended through fiscal year 2010.

(27) HUMAN SERVICES DEPARTMENT:

The period of time for expending the one million five hundred thousand dollars (\$1,500,000) appropriated from the computer systems enhancement fund and the four million five hundred thousand dollars (\$4,500,000) in federal funds contained in Subsection 21 of Section 7 of Chapter 28 of Laws 2007 to continue the replacement of the income support division computer system is extended through fiscal year 2010. The period of time for expending the one million dollars (\$1,000,000) appropriated from the computer systems enhancement fund and the six million two hundred thousand dollars (\$6,200,000) in federal funds contained in Subsection 16 of Section 7 of Chapter 33 of Laws 2005 as extended by Subsection 17 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 22 of Section 7 of Chapter 28 of Laws 2007 to convert the current human services systems into the layered structure specified in the social services architecture plan is granted a final extension through fiscal year 2010. This appropriation includes two term full-time-equivalent positions. This appropriation is contingent on a written and approved social services architecture plan and a federally approved advance planning document.

(28) WORKFORCE SOLUTIONS DEPARTMENT:

The period of time for expending the three million five hundred thousand dollars (\$3,500,000) from the Job Creation and Worker Assistance Act of 2002 and Section 903 of the Social Security Act, as amended, also known as the federal Reed Act, and made available to the New Mexico labor department in Subsection 21 of Section 7 of Chapter 33 of Laws 2005 as extended by Subsection 18 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 23 of Section 7 of Laws 2007 to meet federal accounting and reporting requirements not addressed by the base component of the statewide human resources, accounting and management reporting system project is extended through fiscal year 2009.

(29) DEPARTMENT OF HEALTH: 550.0 550.0

For continued implementation of electronic medical records and health information exchange to be allocated to the development of the collaborative clinical hub and to expand clinical sites contingent on a dollar-for-dollar match by the health information exchange collaborative. Release of funds is contingent on the department of information technology approving the department of health's written business plan.

(30) DEPARTMENT OF HEALTH:

The period of time for expending the one million dollars (\$1,000,000) appropriated from the computer systems enhancement fund and the nine hundred thousand dollars (\$900,000) in federal funds contained in Subsection 23 of Section 7 of Chapter 33 of Laws 2005 as extended by Subsection 20 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 25 of Section 7 of Chapter 28 of Laws 2007 to implement a single, integrated laboratory information management system is granted a final extension through fiscal year 2010. This appropriation is contingent on a written and approved social services architecture plan.

(31) CORRECTIONS DEPARTMENT:

The period of time for expending the three hundred thousand dollars (\$300,000) appropriated from the computer systems enhancement fund contained in Subsection 24 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 27 of Section 7 of Chapter 28 of Laws 2007 to convert and customize the booking module into tiers two and three is granted a final extension through fiscal year 2010 and reappropriated for enhancements to the criminal management information system. The period of time for

expending the four hundred thousand dollars (\$400,000) appropriated from the computer systems enhancement fund contained in Subsection 29 of Section 8 of Chapter 114 of Laws 2004 as extended by Subsection 29 of Section 7 of Chapter 33 of Laws 2005 as extended by Subsection 24 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 27 of Section 7 of Chapter 28 of Laws 2007 to transition the criminal management information system to a web-based application developed through the national consortium of offender management systems is granted a final extension through fiscal year 2010. The system shall be designed to improve data collection, viewing and use by department constituents and other public safety, judicial and law enforcement entities. Funds from this appropriation shall be used to ensure knowledge transfer from the software vendor to the corrections department to enable internal state support of this application system in the future. The period of time for expending the four hundred thousand dollars (\$400,000) appropriated from the computer systems enhancement fund contained in Subsection 19 of Section 7 of Chapter 76 of Laws 2003 as extended by Subsection 29 of Section 8 of Chapter 114 of Laws 2004 as extended by Subsection 29 of Section 7 of Chapter 33 of Laws 2005 as extended by Subsection 24 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 27 of Section 7 of Chapter 28 of Laws 2007 to implement modifications to the current criminal management information system is granted a final extension through fiscal year 2010. System modifications accomplished with this appropriation extension shall be developed in such a manner as to ensure they are converted to the newly planned system at no additional development cost.

(32) DEPARTMENT OF PUBLIC SAFETY:

The period of time for expending the two million nine hundred thousand dollars (\$2,900,000) appropriated from the computer systems enhancement fund contained in Subsection 30 of Section 7 of Chapter 33 of Laws 2005 as extended by Subsection 25 of Section 7 of Chapter 109 of Laws 2006 as extended by Subsection 28 of Section 7 of Chapter 28 of Laws 2007 to implement an automated fingerprint imaging system and to replace the interim distributed imaging system is granted a final extension through fiscal year 2010. This appropriation is contingent on the department of public safety first publishing a plan to use fee revenue to resolve the backlog of paper forms.

(33) DEPARTMENT OF PUBLIC SAFETY:

The period of time for expending the three million dollars (\$3,000,000) appropriated from the computer systems enhancement fund contained in Subsection 30 of Section 7 of Chapter 28 of Laws 2007 to replace the system that centrally captures criminal information, provides access to federal bureau of investigation files and provides law enforcement agencies with the ability to communicate with each other using a commercial off-the-shelf solution is extended through fiscal year 2010.

(34) PUBLIC EDUCATION DEPARTMENT:

The period of time for expending the two million five hundred thousand dollars (\$2,500,000) appropriated from the computer systems enhancement fund contained in Subsection 32 of Section 7 of Chapter 28 of Laws 2007 to continue implementation of the student and teacher accountability reporting system is extended through fiscal year 2010. The appropriation is from the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004. The appropriation is contingent on the public education department reengineering its business processes before proceeding and expending additional funds and on the public education department developing and enforcing reporting compliance. ~~[The public education department shall provide written monthly status reports to the legislative finance committee and the state chief information officer.]~~

(35) PUBLIC EDUCATION DEPARTMENT: 1,650.0

1,650.0

For the implementation of the student and teacher accountability reporting system educational interface and enhanced data collection and reporting. The appropriation is from the appropriation contingency fund

dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004. The appropriation is contingent upon the public education department reengineering its business processes before proceeding and expending additional funds, developing and enforcing reporting compliance and moving two term full-time-equivalent positions paid from nonrecurring funds to permanent full-time-equivalent positions in the base budget. ~~[The public education department shall provide monthly status reports to the legislative finance committee and the chief information officer.]~~

(36) HIGHER EDUCATION DEPARTMENT:

The period of time for expending the one million dollars (\$1,000,000) appropriated from the computer systems enhancement fund contained in Subsection 33 of Section 7 of Chapter 28 of Laws 2007 to consolidate banner licenses at all institutions of higher education is extended through fiscal year 2010 and reappropriated to bring ~~[a]]~~ institutions of higher education using banner to version 8 of the enterprise resource planning system and to enhance the ability to share student data between higher education institutions and the student and teacher accountability reporting system in the public education department.

(37) HIGHER EDUCATION DEPARTMENT:

The period of time for expending the six million four hundred thousand dollars (\$6,400,000) appropriated from the computer systems enhancement fund contained in Subsection 34 of Section 7 of Chapter 28 of Laws 2007 to implement the innovative digital educational and learning system for public and higher education, including partnering with regional education cooperatives and institutions of higher learning that already provide some form of distance learning, is extended through fiscal year 2010. The appropriation is contingent on completion of a statewide cyber academy and distance learning plan before services are initiated. The higher education department shall provide monthly progress status reports, including funds expended, milestones achieved, number and location of distance learning sites and students served, to ~~[the legislative finance committee, the legislative education study committee and]~~ the office of the chief information officer.

TOTAL DATA PROCESSING APPROPRIATIONS	12,702.0	4,131.7
16,833.7		

Chapter 3 Section 8 Laws 2008

Section 8. COMPENSATION APPROPRIATIONS.--

A. Nineteen million one hundred forty-four thousand five hundred dollars (\$19,144,500) is appropriated from the general fund to the department of finance and administration for expenditure in fiscal year 2009 to provide salary increases to employees in budgeted positions who have completed their probationary period subject to satisfactory or better job performance. The salary increases shall be effective July 1, 2008, and distributed as follows:

(1) five hundred sixty-four thousand four hundred dollars (\$564,400) to provide the justices of the supreme court; the chief justice of the supreme court; the chief judge of the court of appeals; judges of the court of appeals, district courts, metropolitan courts and magistrate courts; child support hearing officers; and special commissioners a salary increase of two and four-tenths percent;

(2) one million nine hundred forty-one thousand seven hundred dollars (\$1,941,700) to provide all judicial permanent employees, other than employees whose salaries are set by statute, with an average two and four-tenths percent salary increase based on employee job performance as determined by the administrative office of the courts;

(3) forty-three thousand four hundred dollars (\$43,400) to provide the district attorneys a salary increase of two and four-tenths percent;

(4) one million four thousand one hundred dollars (\$1,004,100) to provide all district attorney permanent employees, other than elected district attorneys, with a two and four-tenths percent salary increase based on employee job performance as determined by the administrative office of the district attorneys;

(5) twelve million eight hundred thirty-three thousand dollars (\$12,833,000) to provide incumbents in agencies governed by the Personnel Act, other than commissioned officers of the department of public safety, with an average salary increase of two and four-tenths percent based on employee job performance as determined by the personnel board;

(6) one million one hundred fifty-four thousand eight hundred dollars (\$1,154,800) to provide executive exempt employees, including attorney general employees and workers' compensation judges, with an average two and four-tenths percent salary increase;

(7) nine hundred eighteen thousand eight hundred dollars (\$918,800) to provide all commissioned officers of the department of public safety with an average two and four-tenths percent salary increase in accordance with the New Mexico state police career pay system and the Personnel Act as determined by the secretary of the department of public safety and the state personnel board. In lieu of the probationary requirements of Subsection A, commissioned officers of the New Mexico state police of the department of public safety who have completed one year of continuous service subject to satisfactory or better performance are eligible for the salary increase in accordance with the New Mexico state police career system;

(8) one hundred sixty-two thousand five hundred dollars (\$162,500) to provide teachers in the department of health, corrections department, and children, youth and families department with a salary increase of two and four-tenths percent;

(9) three hundred twenty-one thousand eight hundred dollars (\$321,800) to provide permanent legislative employees, including permanent employees of the legislative council service, legislative finance committee, legislative education study committee, legislative building services, the house and senate, house and senate chief clerks' offices and house and senate leadership, with an average salary increase of two and four-tenths percent; and

(10) two hundred thousand dollars (\$200,000) to raise the minimum salary levels for all staff attorneys of the district attorneys as determined by a plan approved by the administrative office of the district attorneys.

B. The following amounts are appropriated from the general fund to the higher education department for expenditure in fiscal year 2009 and the compensation shall be effective July 1, 2008:

(1) sixteen million nine hundred thirty-four thousand four hundred dollars (\$16,934,400) to provide faculty and staff of four- and two-year post-secondary education institutions with an average two percent compensation increase; and

(2) six million three hundred fifty thousand four hundred dollars (\$6,350,400) to provide a three-fourths percent increase in the employer contribution to the educational retirement fund.

C. Three million two hundred eighty-five thousand six hundred dollars (\$3,285,600) is appropriated from the general fund for expenditure in fiscal year 2009 to provide for a two-tenths percent increase in the employer contribution rate to the retiree health care fund. The appropriation is contingent on enactment of Senate Bill 67 or similar legislation of the second session of the forty- eighth legislature. This appropriation shall be distributed as follows:

(1) one million five hundred ninety-two thousand two hundred dollars (\$1,592,200) to the department of finance and administration for expenditure in fiscal year 2009 for employees in budgeted positions; and

(2) one million six hundred ninety-three thousand four hundred dollars (\$1,693,400) to the higher education department for expenditure in fiscal year 2009 for employees in budgeted positions.

D. The department of finance and administration shall distribute a sufficient amount to each

agency to provide the appropriate increase for those employees whose salaries are received as a result of the general fund appropriations in the General Appropriation Act of 2008. Any unexpended balances remaining at the end of fiscal year 2009 shall revert to the general fund.

E. For those state employees whose salaries are referenced in or received as a result of nongeneral fund appropriations in the General Appropriation Act of 2008, the department of finance and administration shall transfer from the appropriate fund to the appropriate agency the amount required for the salary increases equivalent to those provided for in this section, and such amounts are appropriated for expenditure in fiscal year 2009. Any unexpended balances remaining at the end of fiscal year 2009 shall revert to the appropriate fund.

Chapter 3 Section 9 Laws 2008

Section 9. ADDITIONAL FISCAL YEAR 2008 BUDGET ADJUSTMENT AUTHORITY.--During fiscal year 2008,

subject to review and approval by the department of finance and administration, pursuant to Sections 6-3- 23 through 6-3-25 NMSA 1978, in addition to the budget adjustment authority in the General Appropriation Act of 2007:

A. the administrative support program of the administrative office of the courts may request budget increases up to nine hundred fifty thousand dollars (\$950,000) from the magistrate and metropolitan court capital fund to secure, furnish and equip magistrate court facilities when the New Mexico finance authority determines the facilities fund will have sufficient funds to pay the debt service; and the magistrate court program may request budget increases from other state funds for memorandums of understanding with local governments to track driving-while-intoxicated cases in magistrate courts;

B. the first judicial district court may request budget increases up to twenty-five thousand dollars (\$25,000) from internal service funds/interagency transfers from revenue derived from duplication fees;

C. the second judicial district court may request budget increases up to three hundred thousand dollars (\$300,000) from internal service funds/interagency transfers and other state funds for pre-trial services;

D. the fourth judicial district court may request budget increases up to twenty thousand dollars (\$20,000) from internal service funds/interagency transfers and other state funds from reimbursed expenses from revenue derived from duplication fees;

E. the ninth judicial district court may request budget increases up to fifteen thousand dollars (\$15,000) from internal service funds/interagency transfers and other state funds from reimbursed expenses;

F. the tenth judicial district court may request budget transfers to and from the other financing uses category and may request budget increases from internal service funds/interagency transfers and other state funds from revenue derived from duplication fees;

G. the Bernalillo county metropolitan court may request budget increases up to fifty thousand dollars (\$50,000) from other state funds for operating and maintaining the parking facility;

H. the legal services program of the attorney general may request budget increases up to four hundred fifty thousand dollars (\$450,000) from other state funds to

provide consumer protection, education and alert programs, provided that the revenue expended shall be solely from settlement funds that authorize consumer uses;

I. the program support program of the taxation and revenue department may request budget increases up to one hundred thousand dollars (\$100,000) from other state funds for operational shortfalls; and the compliance enforcement program may request budget transfers up to ninety-six thousand three hundred dollars (\$96,300) from the other financing uses category to any other category;

J. the program support program of the general services department may request budget increases up to four hundred fifty thousand nine hundred dollars (\$450,900) from internal service funds/interagency transfers for program shortfalls;

K. the enterprise operations program of the department of information technology may request budget increases up to three million dollars (\$3,000,000) from internal service funds/interagency transfers for enterprise equipment needs to ensure state business enterprise continuity;

L. the secretary of state may request budget increases up to one hundred thousand dollars (\$100,000) from internal service funds/interagency transfers from the children, youth and families department for implementation of a substitute address program and may request up to one million two hundred thousand dollars (\$1,200,000) from internal service funds/interagency transfers from the tax administration fund for the public financing of qualified campaigns;

M. the insurance policy program of the public regulation commission may request budget increases up to three hundred thousand dollars (\$300,000) from internal service funds/interagency transfers from the insurance operations fund and may request budget increases up to forty thousand dollars (\$40,000) from internal service funds/interagency transfers from the title insurance maintenance assessment fund to finance personal services and employee benefits shortfalls in the title insurance bureau;

N. the cultural affairs department may request budget increases up to three hundred fifty-six thousand five hundred dollars (\$356,500) from internal service funds/interagency transfers and other state funds;

O. the livestock board may request program transfers between the livestock inspection and meat inspection programs and may request budget increases up to one hundred thousand dollars (\$100,000) from other state funds;

P. the department of game and fish may request budget transfers up to two hundred fifty thousand dollars (\$250,000) between programs and may request budget increases up to seven hundred thousand dollars (\$700,000) from other state funds from the Sikes Act fund for habitat improvement projects;

Q. the renewable energy and energy efficiency program of the energy, minerals and natural resources department may request budget increases up to five hundred thousand dollars (\$500,000) from internal service funds/interagency transfers and the program support program may request budget increases up to one hundred fifty thousand dollars (\$150,000) from internal service funds/interagency transfers for operational shortfalls;

R. the organic commodity commission may request budget increases up to fourteen thousand dollars (\$14,000) from internal service funds/interagency transfers for training inspections and consumer outreach and client assistance;

S. the long-term services program of the aging and long-term services department may request budget increases up to fifteen thousand dollars (\$15,000) from internal service funds/interagency transfers from the governor's commission on disability for the gap program;

T. the human services department may request budget increases up to seven hundred fifty thousand dollars (\$750,000) from internal service funds/interagency transfers to provide food assistance and food distribution;

U. the workforce solutions department may request program transfers if the cumulative effect of a requested program transfer, together with all program transfers previously requested and approved pursuant to this subsection, will not increase or decrease the total annual appropriation to a program from all funding sources, including Reed Act, by more than ten percent;

V. the health certification, licensing and oversight program of the department of health may request budget increases up to two million dollars (\$2,000,000) from other state funds from fees collected from the caregivers criminal history screening program and civil monetary penalties; the administrative program may request budget increases up to three hundred thousand dollars (\$300,000) from other state funds from fees collected from the caregivers criminal history screening program and civil monetary penalties for allowable indirect costs; the public health program may request budget increases up to eight hundred thousand dollars (\$800,000) from other state funds from the insurance assistance program for HIV/AIDS treatment services; the developmental disabilities support program may request budget increases up to eight hundred thousand dollars (\$800,000) from other state funds and internal service funds/interagency transfers; and the department of health may request program transfers up to one million dollars (\$1,000,000) between programs for the Los Lunas community and family infant toddler programs of the developmental disabilities support program;

W. the department of environment may request budget increases up to one hundred eighty thousand dollars (\$180,000) from other state funds to provide technical services related to the drinking water revolving loan fund, water and wastewater project grant fund and local government planning fund programs;

X. the family services program of the children, youth and families department may request category transfers up to one hundred thousand dollars (\$100,000) from the domestic violence program into the other financing uses category for transfer to the secretary of state for the implementation of a substitute address program and the juvenile justice services program of the children, youth and families department may request budget increases up to two million seven hundred fifty-four thousand seven hundred dollars (\$2,754,700) from other state funds from distributions from the land grant permanent and land income funds;

Y. the corrections department may request budget increases of up to one million three hundred fifty thousand dollars (\$1,350,000) from other state funds and internal service funds/interagency transfers from cash balances and up to one million two hundred thirty thousand dollars (\$1,230,000) from the building fund for capital outlay and building maintenance needs;

Z. the department of public safety may request budget increases up to four hundred thirty-seven thousand dollars (\$437,000) from other state funds and internal service funds/interagency transfers; and the motor transportation division may request budget increases up to seventy-six thousand dollars (\$76,000) from internal service funds/interagency transfers to conduct weight distance tax identification permit operations at five ports of entry throughout the state;

AA. the department of transportation may request budget increases up to two hundred fifty thousand dollars (\$250,000) from other state funds for administrative costs as allowed in Subsection E of Section 2 of Chapter 3 of Laws 2007 First Special Session;

BB. the public education department may request budget increases up to three million five hundred thousand dollars (\$3,500,000) from other state funds for amounts received from school districts for the medicaid in the schools program; and

CC. the higher education department may request budget increases up to seven hundred fifty thousand dollars (\$750,000) from other state funds for the college affordability scholarship fund.

Chapter 3 Section 10 Laws 2008

Section 10. CERTAIN FISCAL YEAR 2009 BUDGET ADJUSTMENTS AUTHORIZED.--

A. As used in this section and Section 9 of the General Appropriation Act of 2008:

(1) "budget category" means an item or an aggregation of related items that represents the object of an appropriation. Budget categories include personal services and employee benefits, contractual services, other and other financing uses;

(2) "budget increase" means an approved increase in expenditures by an agency from a specific source;

(3) "category transfer" means an approved transfer of funds from one budget category to another budget category, provided that a category transfer does not include a transfer of funds between divisions; and

(4) "program transfer" means an approved transfer of funds from one program of an agency to another program of that agency.

B. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, those budget adjustments specified in this section are authorized for fiscal year 2009.

C. In addition to the specific category transfers authorized in Subsection E of this section and unless a conflicting category transfer is authorized in Subsection E of this section, all agencies, including legislative agencies, may request category transfers between contractual services and other; may request transfers into personal services and employee benefits; and may request transfers out of personal services and employee benefits if the cumulative effect of the requested transfer plus all previous transfers out of personal services and employee benefits does not exceed two percent of the total appropriation to that category in Section 4 of the General Appropriation Act of 2008~~], except that, notwithstanding the ten-day requirement of Subsection B of Section 6-3-25 NMSA 1978, no request made prior to October 1, 2008, for a category transfer shall go into effect until the earliest of the following:~~

~~(1) thirty-five calendar days after the category transfer request is filed with the director of the legislative finance committee pursuant to Subsection A of Section 6-3-25 NMSA 1978; or~~

~~(2) the day after the category transfer request is reviewed by the legislative finance committee or a subcommittee of the legislative finance committee].~~

D. Unless a conflicting budget increase is authorized in Subsection E of this section, a program with internal service funds/interagency transfers appropriations or other state funds appropriations that collects money in excess of those appropriated may request budget increases in an amount not to exceed four percent of its internal service funds/interagency transfers or other state funds appropriation contained in Section 4 of the General Appropriation Act of 2008. To track the four percent transfer limitation, agencies shall report cumulative budget adjustment request totals on each

budget request submitted. The department of finance and administration shall certify agency reporting of these cumulative totals.

E. In addition to the budget authority otherwise provided in the General Appropriation Act of 2008, the following agencies may request specified budget adjustments:

(1) each legislative agency may request category transfers up to two hundred thousand dollars (\$200,000) from the personal services and employee benefits category to the contractual services category, if necessary, to meet the needs of interim committees;

(2) the New Mexico compilation commission may request budget increases from internal service funds/interagency transfers and other state funds for costs associated with subscriptions, publishing and marketing New Mexico statutes, supreme court opinions and other publications;

(3) the judicial standards commission may request budget increases up to thirty thousand dollars (\$30,000) from other state funds from funds received from trial cost reimbursement imposed by the supreme court on a respondent as part of the court's imposition of discipline on that respondent;

(4) the second judicial district court may request budget increases up to three hundred thousand dollars (\$300,000) from other state funds and internal service funds/interagency transfers for pre-trial services;

(5) the fourth judicial district court may request budget increases from internal service funds/interagency transfers and other state funds for revenue derived from duplication fees;

(6) the eleventh judicial district court may request budget increases up to fifteen thousand dollars (\$15,000) from internal service funds/interagency transfers and other state funds for drug court programs;

(7) the Bernalillo county metropolitan court may request budget increases up to three hundred thousand dollars (\$300,000) from internal service funds/interagency transfers and other state funds for pre- and post-adjudication services;

(8) the first judicial district attorney may request budget increases from internal service funds/interagency transfers and other state funds for funds received from any political subdivision of the state or from Indian tribes and may request budget increases up to one hundred twenty-five thousand dollars (\$125,000) from internal service funds/interagency transfers to prosecute tax crimes statewide;

(9) the second judicial district attorney may request budget increases up to fifty thousand dollars (\$50,000) from other state funds for attorney bar dues and may

request budget increases up to four hundred ten thousand dollars (\$410,000) from internal service funds/interagency transfers and other state funds for personal services and employee benefits and contractual services;

(10) the eighth judicial district attorney may request budget increases from internal service funds/interagency transfers and other state funds for funds received from any political subdivision of the state or from Indian tribes and may request budget increases not to exceed seventy-five thousand dollars (\$75,000) from internal service funds/interagency transfers and other state funds;

(11) the eleventh judicial district attorney-division I may request budget increases up to one hundred twenty-five thousand dollars (\$125,000) from internal service funds/interagency transfers and other state funds;

(12) the eleventh judicial district attorney-division II may request budget increases up to one hundred twenty-five thousand dollars (\$125,000) from internal service funds/interagency transfers and other state funds;

(13) the thirteenth judicial district attorney may request budget increases from internal service funds/interagency transfers and other state funds for funds received from any political subdivision of the state or from Indian tribes;

(14) the administrative office of the district attorneys may request budget increases up to fifty thousand dollars (\$50,000) from other state funds for costs associated with the district attorneys training conference and may request budget increases up to two thousand dollars (\$2,000) from other state funds from miscellaneous revenue collected from nondistrict attorney employee registration fees to pay for conference-related expenses;

(15) the legal services program of the attorney general may request budget increases up to four hundred fifty thousand dollars (\$450,000) from other state funds to provide consumer protection, education and alert programs, provided that the revenue expended shall be solely from settlement funds that authorize consumer uses;

(16) the state investment council may request budget increases up to two million dollars (\$2,000,000) from other state funds for investment manager fees and custody fees, provided that this amount may be exceeded if the department of finance and administration approves a certified request from the state investment council that additional increases from other state funds are required for increased investment manager fees and custody fees, and may request transfers to any other category except that only five hundred thousand dollars (\$500,000) of the money appropriated for investment manager fees in the contractual services category may be transferred;

(17) the public school insurance authority may request budget increases from internal service funds/interagency transfers and other state funds for the benefits and risk programs;

(18) the health care benefits administration program of the retiree health care authority may request budget increases from other state funds for the benefits program;

(19) the general services department may request budget increases from internal service funds/interagency transfers in an amount not to exceed fifteen percent of the appropriation for each of the employee group health benefits, risk management, state printing services, business office space management and maintenance services and transportation services programs if it collects revenue in excess of appropriated levels;

(20) the educational retirement board may request budget increases from other state funds for investment manager fees, custody fees and investment-related legal fees, provided that the department of finance and administration approves a certified request from the educational retirement board that additional increases from other state funds are required for increased investment manager fees, and custody fees and investment-related legal fees and may request category transfers, except that funds authorized for investment manager fees, custody services and investment-related legal fees within the contractual services category of the administrative services division of the educational retirement board shall not be transferred;

(21) the public defender department may request budget increases up to five hundred thousand dollars (\$500,000) from internal service funds/interagency transfers and other state funds;

(22) the department of information technology may request budget increases up to two million dollars (\$2,000,000) from internal service funds/interagency transfers from revenues it collects in excess of appropriated levels [~~to replace equipment~~] contingent on certification by the secretary of the department of information technology to the secretary of the department of finance and administration [~~and the director of the legislative finance committee~~] that the budget increase is necessary to maintain uninterrupted services to state agencies or to prevent reductions in the quality of services provided to state agencies and is qualified as an emergency;

(23) the public employees retirement association may request budget increases from other state funds for investment manager fees, custody fees and investment-related legal fees, provided that the department of finance and administration approves a certified request from the public employees retirement association that additional increases from other state funds are required for increased investment manager fees, custody fees and investment-related legal fees, and may request category transfers, except that funds authorized for investment manager fees, custody fees and investment-related legal fees within the contractual services category of the administrative division of the public employees retirement association shall not be transferred;

(24) the border authority may request budget increases up to twenty-five thousand dollars (\$25,000) from other state funds for operations;

(25) the New Mexico magazine program of the tourism department may request budget increases up to two hundred thousand dollars (\$200,000) from other state funds from earnings on sales and the tourism development program may request budget increases up to thirty thousand dollars (\$30,000) from internal service funds/interagency transfers from earnings from route 66 commemorative license plate sales to implement a joint powers agreement among the tourism department, department of transportation and the taxation and revenue department;

(26) the public regulation commission may request budget increases for the office of the state fire marshal from the training academy use fee fund;

(27) the New Mexico medical board may request budget increases up to thirty thousand dollars (\$30,000) from other state funds for the administrative hearing process;

(28) the New Mexico state fair may request budget increases from unforeseen internal service funds/interagency transfers and other state funds;

(29) the preservation program of the cultural affairs department may request budget increases from internal service funds/interagency transfers for archaeological services;

(30) the livestock board may request program transfers between the livestock inspection and meat inspection programs if the cumulative effect of a requested program transfer, together with all previous program transfers does not exceed one hundred thousand dollars (\$100,000) and may request increases from other state funds up to one hundred fifty thousand dollars (\$150,000) for replacement of field laptops and vehicles;

(31) the department of game and fish may request budget increases up to five hundred thousand dollars (\$500,000) from other state funds from the game protection fund for emergencies [~~and the agency shall report the nature of the emergency to the legislative finance committee within thirty days of the emergency budget increase request~~];

(32) the oil and gas conservation program of the energy, minerals and natural resources department may request budget increases up to two hundred thousand dollars (\$200,000) from other state funds from the assessment of penalties for violations of the Oil and Gas Act, may request budget transfers to and from the other financing uses category to transfer funds to the department of environment for the underground injection program, may request budget increases from internal service funds/interagency transfers from funds received from the department of environment for the water quality program, and may request budget increases from other state funds

from the oil and gas reclamation fund to close abandoned wells; the healthy forests, state parks and renewable energy and energy efficiency programs of the energy, minerals and natural resources department may request budget increases from internal service funds/interagency transfers from the New Mexico youth conservation corps fund for projects approved by the New Mexico youth conservation corps commission and budget increases up to five hundred thousand dollars (\$500,000) from internal service funds/interagency transfers and other state funds for clean energy and energy conservation program projects; the state parks program may request budget increases up to five hundred thousand dollars (\$500,000) from other state funds and internal service funds/interagency transfers for unforeseen operational shortfalls, maintenance and capital equipment replacements; and the healthy forests program may request budget increases up to five hundred thousand dollars (\$500,000) from other state funds for costs associated with the inmate work camp program and the conservation planting revolving fund;

(33) the intertribal ceremonial office may request budget increases not to exceed twenty-five thousand dollars (\$25,000) from other state funds for operational expenses;

(34) the office of the state engineer may request budget increases up to eight hundred thousand dollars (\$800,000) from internal service funds/interagency transfers from the department of finance and administration for multi-stakeholder planning for implementation of the New Mexico portion of the Arizona Water Settlement Act of 2004, may request budget increases up to seventy thousand dollars (\$70,000) from internal service funds/interagency transfers from the Ute construction fund to develop a master plan, may request budget increases up to one million five hundred thousand dollars (\$1,500,000) from internal service funds/interagency transfers from the attorney general to prepare for anticipated water litigation, may request budget increases up to one million five hundred thousand dollars (\$1,500,000) from other state funds and internal service funds/interagency transfers from the department of game and fish for the Eagle Nest dam rehabilitation and may request budget increases up to one hundred thousand dollars (\$100,000) from other state funds from contractual services reimbursements for water modeling supply studies;

(35) the organic commodity commission may request budget increases up to five thousand dollars (\$5,000) from internal service funds/interagency transfers for administrative support;

(36) the commission on the status of women may request budget increases up to one hundred thousand dollars (\$100,000) from other state funds for the statutorily mandated recognition program for women and may request budget increases up to one hundred thousand dollars (\$100,000) from internal service funds/interagency transfers to support the governor's women's health council;

(37) the office of African American affairs may request budget increases up to five hundred thousand dollars (\$500,000) from other state funds and may request

budget increases up to one hundred thousand dollars (\$100,000) from internal service funds/interagency transfers;

(38) the human services department may request transfers between the medical assistance program and the medicaid behavioral health program; may request budget increases up to one million dollars (\$1,000,000) from other state funds and internal service funds/interagency transfers from county- supported medicaid fund, transfers from counties, cities, and other intergovernmental transfers for the purpose of maximizing federal funds match in the medical assistance division; and may request budget increases from other state funds from revenue collected for the small employer's insurance program;

(39) the workforce solutions department may request program transfers if the cumulative effect of a requested program transfer, together with all program transfers previously requested and approved pursuant to this subsection, will not increase or decrease the total annual appropriation to a program from all funding sources, including federal Reed Act, by more than ten percent;

(40) the division of vocational rehabilitation may request budget increases up to fifty thousand dollars (\$50,000) from other state funds to maintain services to clients;

(41) the developmental disabilities planning council program of the developmental disabilities planning council may request budget increases up to five hundred thousand dollars (\$500,000) from internal service funds/interagency transfers and may request budget increases from other state funds from revenue from the sale of training modules and materials in the brain injury advisory council program and the consumer services program;

(42) the miners' hospital of New Mexico may request budget increases from other state funds;

(43) the department of health may request category transfers up to three percent of the other financing uses category in the developmental disabilities support program for developmental disabilities medicaid waiver program infrastructure, may request budget increases from other state funds from health facility license and certification fees pursuant to Subsection G of Section 24-1-5 NMSA 1978 and may request budget increases from other state funds related to private insurer payments for services provided through the public health and family infant toddler programs;

(44) the department of environment may request budget increases from other state funds for responsible party payments, may request budget increases from other state funds from the corrective action fund to pay claims, may request budget increases from other state funds from the hazardous waste emergency fund, may request budget increases from internal service funds/interagency transfers from funds received related to restoration of the Mountain View nitrate plume site; the water quality

program may request budget increases up to six hundred eighty-five thousand dollars (\$685,000) from internal service funds/interagency transfers to prepare for potential litigation with Texas on water issues; and the water and wastewater infrastructure development program may request budget increases up to one hundred fifty thousand dollars (\$150,000) from other state funds for providing technical services related to the drinking water revolving loan fund, water and wastewater grant fund, and local government planning fund programs;

(45) the office of the natural resources trustee may request budget increases up to five million dollars (\$5,000,000) from internal service funds/interagency transfers and other state funds for restoration projects and may request budget increases from other state funds for restoration projects equal to any fines for damages resulting from a settlement;

(46) the corrections department may request budget increases from other state funds and internal service funds/interagency transfers for costs associated with the inmate forestry work camp, budget increases from other state funds from excess revenue and cash balances from probation and parole fees, budget increases in other state funds from cash balances from the community corrections grant fund, budget increases from internal service funds/interagency transfers from the university of New Mexico and department of health to fund the hepatitis C drug treatment program, and may request program transfers if the cumulative effect of a requested program transfer, together with all program transfers previously requested and approved pursuant to this subsection, will not increase or decrease the total annual appropriation to a program from all funding sources by more than five percent;

(47) the crime victims' reparation commission may request budget increases from other state funds for victim reparation services;

(48) the department of public safety may request budget increases from internal service funds/interagency transfers and other state funds for records fees, photo stat fees and advanced training fees collected in excess of those budgeted, may request budget increases from other state funds from the concealed handgun carry revenues and balances to address the enforcement of the Concealed Handgun Carry Act, may request budget increases from other state funds from the state forfeiture fund to address the enforcement of the Controlled Substances Act;

(49) the department of transportation may request budget increases up to two hundred fifty thousand dollars (\$250,000) from other state funds for administrative costs as allowed in Subsection E of Section 2 of Chapter 3 of Laws 2007 First Special Session;

(50) the higher education department may request transfers to and from the other financing uses category; and

(51) the public school facilities authority may request budget increases for project management expenses pursuant to the Public School Capital Outlay Act.

F. the department of military affairs, the homeland security and emergency management department, the department of public safety, and the energy, minerals and natural resources department may request budget increases from the general fund as required by an executive order declaring a disaster or emergency.

Chapter 3 Section 11 Laws 2008

Section 11. **TRANSFER AUTHORITY.**--If revenue and transfers to the general fund at the end of fiscal year 2008 are not sufficient to meet appropriations, the governor, with state board of finance approval, may transfer at the end of that year the amount necessary to meet the year's obligations from the unexpended balances remaining in the general fund operating reserve in a total not to exceed one hundred fifty million dollars (\$150,000,000).

Chapter 3 Section 12 Laws 2008

Section 12. **SEVERABILITY.**--If any part or application of this act is held invalid, the remainder or its application to other situations or persons shall not be affected.

H AFC/House Bills 2, 3, 4, 5, 6 and 10, as amended, with certificate of correction, partial veto

Approved February 12, 2008

LAWS 2008, CHAPTER 4

AN ACT

RELATING TO HEALTH FACILITIES; AUTHORIZING THE STATE TO ACQUIRE A FACILITY TO REPLACE FORT BAYARD MEDICAL CENTER; AUTHORIZING CERTAIN AGREEMENTS TO EFFECTUATE THE ACQUISITION; RATIFYING AND APPROVING A LEASE-PURCHASE AGREEMENT; PROVIDING EXEMPTIONS FROM THE PROCUREMENT CODE; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007; DECLARING AN EMERGENCY.

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

Chapter 4 Section 1 Laws 2008

Section 1. Section 9-7-6.5 NMSA 1978 (being Laws 2005, Chapter 317, Section 1) is amended to read:

"9-7-6.5. AGREEMENTS FOR A REPLACEMENT FACILITY FOR FORT BAYARD MEDICAL CENTER.--

A. Notwithstanding any other provision of state law or rule, the secretary may do one or more of the following:

(1) enter into an agreement, including an agreement with an independent contractor, to operate Fort Bayard medical center or a replacement for Fort Bayard medical center in Grant county;

(2) acquire by purchase, lease, construction, lease-purchase or other financing arrangement a facility to be located in Grant county to replace Fort Bayard medical center, provided that, if the acquisition results in the transfer of the title to the facility, the title to the facility shall be in the name of the property control division of the general services department; or

(3) enter into an agreement with Grant county under which the department may construct or cause to be constructed the facility that will replace the Fort Bayard medical center.

B. The provisions of the Procurement Code shall not apply to the procurement, by either the department or Grant county or both, of tangible personal property, services or construction deemed necessary by the department to effectuate the provisions of this section. However, agreements related to the acquisition of the facility to replace Fort Bayard medical center shall be subject to the provisions of state law regulating the acquisition and disposal of real property by governmental entities.

C. An operating agreement entered into pursuant to this section shall include provisions for the continued employment of all current and future Fort Bayard medical center employees, excluding management employees of the contractor, as state employees, entitled and subject to all the rights and responsibilities of state employees. Under the terms of the agreement and the overall direction of the department, the independent contractor shall provide management and supervision to state employees at Fort Bayard medical center, including the provision of work assignments, evaluations and promotional and disciplinary actions.

D. Pursuant to Section 15-3-35 NMSA 1978, the legislature ratifies and approves a lease-purchase agreement, in a form approved by the state board of finance, between the department, as lessee-purchaser and Grant county, as

lessor-seller, for the facility that will replace the Fort Bayard medical center, provided that, upon transfer of title, title to the facility shall be in the name of the property control division of the general services department."

Chapter 4 Section 2 Laws 2008

Section 2. Section 13-1-98 NMSA 1978 (being Laws 1984, Chapter 65, Section 71, as amended by Laws 2007, Chapter 55, Section 1 and by Laws 2007, Chapter 345, Section 1) is amended to read:

"13-1-98. EXEMPTIONS FROM THE PROCUREMENT CODE.--The provisions of the Procurement Code shall not apply to:

A. procurement of items of tangible personal property or services by a state agency or a local public body from a state agency, a local public body or external procurement unit except as otherwise provided in Sections

13-1-135 through 13-1-137 NMSA 1978;

B. procurement of tangible personal property or services for the governor's mansion and grounds;

C. printing and duplicating contracts involving materials that are required to be filed in connection with proceedings before administrative agencies or state or federal courts;

D. purchases of publicly provided or publicly regulated gas, electricity, water, sewer and refuse collection services;

E. purchases of books and periodicals from the publishers or copyright holders thereof;

F. travel or shipping by common carrier or by private conveyance or to meals and lodging;

G. purchase of livestock at auction rings or to the procurement of animals to be used for research and experimentation or exhibit;

H. contracts with businesses for public school transportation services;

I. procurement of tangible personal property or services, as defined by Sections 13-1-87 and 13-1-93 NMSA 1978, by the corrections industries division of the corrections department pursuant to rules adopted by the corrections industries commission, which shall be reviewed by the purchasing division of the general services department prior to adoption;

J. minor purchases not exceeding five thousand dollars (\$5,000) consisting of magazine subscriptions, conference registration fees and other similar purchases where prepayments are required;

K. municipalities having adopted home rule charters and having enacted their own purchasing ordinances;

L. the issuance, sale and delivery of public securities pursuant to the applicable authorizing statute, with the exception of bond attorneys and general financial consultants;

M. contracts entered into by a local public body with a private independent contractor for the operation, or provision and operation, of a jail pursuant to Sections 33-3-26 and 33-3-27 NMSA 1978;

N. contracts for maintenance of grounds and facilities at highway rest stops and other employment opportunities, excluding those intended for the direct care and support of persons with handicaps, entered into by state agencies with private, nonprofit, independent contractors who provide services to persons with handicaps;

O. contracts and expenditures for services or items of tangible personal property to be paid or compensated by money or other property transferred to New Mexico law enforcement agencies by the United States department of justice drug enforcement administration;

P. contracts for retirement and other benefits pursuant to Sections 22-11-47 through 22-11-52 NMSA 1978;

Q. contracts with professional entertainers;

R. contracts and expenditures for litigation expenses in connection with proceedings before administrative agencies or state or federal courts, including experts, mediators, court reporters, process servers and witness fees, but not including attorney contracts;

S. contracts for service relating to the design, engineering, financing, construction and acquisition of public improvements undertaken in improvement districts pursuant to Subsection L of Section 3-33-14.1 NMSA 1978 and in county improvement districts pursuant to Subsection L of Section 4-55A-12.1 NMSA 1978;

T. works of art for museums or for display in public buildings or places;

U. contracts entered into by a local public body with a person, firm, organization, corporation or association or a state educational institution named in Article 12, Section 11 of the constitution of New Mexico for the operation and maintenance of a hospital pursuant to

Chapter 3, Article 44 NMSA 1978, lease or operation of a county hospital pursuant to the Hospital Funding Act or operation and maintenance of a hospital pursuant to the Special Hospital District Act;

V. purchases of advertising in all media, including radio, television, print and electronic;

W. purchases of promotional goods intended for resale by the tourism department;

X. procurement of printing services for materials produced and intended for resale by the cultural affairs department;

Y. procurement by or through the public education department from the federal department of education relating to parent training and information centers designed to increase parent participation, projects and initiatives designed to improve outcomes for students with disabilities and other projects and initiatives relating to the administration of improvement strategy programs pursuant to the federal Individuals with Disabilities Education Act; provided that the exemption applies only to procurement of services not to exceed two hundred thousand dollars (\$200,000);

Z. procurement of services from community rehabilitation programs or qualified individuals pursuant to the State Use Act;

AA. purchases of products or services for eligible persons with disabilities pursuant to the federal Rehabilitation Act of 1973;

BB. procurement, by either the department of health or Grant county or both, of tangible personal property, services or construction that are exempt from the Procurement Code pursuant to Section 9-7-6.5 NMSA 1978;

CC. contracts for investment advisory services, investment management services or other investment-related services entered into by the educational retirement board, the state investment officer or the retirement board created pursuant to the Public Employees Retirement Act; and

DD. the purchase for resale by the state fair commission of feed and other items necessary for the upkeep of livestock."

Chapter 4 Section 3 Laws 2008

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

Senate Bill 258, as amended, with emergency clause

Approved February 13, 2008

LAWS 2008, CHAPTER 5

AN ACT

MAKING TECHNICAL CORRECTIONS TO THE ENROLLED AND ENGROSSED COPIES OF CERTAIN 2007 LAWS; CONFORMING THE LAW RELATING TO HOSPITALITY FEE PROCEEDS TO THE ACTIONS OF THE LEGISLATURE; CONFORMING THE LAW RELATING TO CHARTER SCHOOL EMPLOYMENT DECISIONS TO THE ACTIONS OF THE LEGISLATURE; DECLARING AN EMERGENCY.

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

Chapter 5 Section 1 Laws 2008

Section 1. Section 3-38A-3 NMSA 1978 (being Laws 2003, Chapter 417, Section 3, as amended) is amended to read:

"3-38A-3. HOSPITALITY FEE AUTHORIZED--RATE--PURPOSE.--

A. A municipality may impose by ordinance a hospitality fee on the gross rent received by proprietors of tourist accommodations within the municipality in an amount not to exceed one percent of the gross rent. The fee imposed by this subsection may be referred to as the "hospitality fee".

B. Proceeds from the hospitality fee shall be used as follows:

(1) fifty percent of the proceeds shall be used to equip and furnish a municipal convention center; and

(2) fifty percent of the proceeds shall be used by the municipality to contract to purchase advertising that publicizes and promotes tourist-related attractions, facilities and events in the municipality and the county and tourist facilities or attractions within the area."

Chapter 5 Section 2 Laws 2008

Section 2. Section 22-8B-10 NMSA 1978 (being Laws 1999, Chapter 281, Section 10, as amended) is amended to read:

"22-8B-10. CHARTER SCHOOLS--EMPLOYEES.--

A. A charter school shall hire its own employees. The provisions of the School Personnel Act shall apply to such employees. The head administrator of the charter school shall employ, fix the salaries of, assign, terminate and discharge all employees of the charter school.

B. The head administrator of a charter school shall not initially employ or approve the initial employment in any capacity of a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter or daughter-in-law of a member of the governing body or the head administrator. The governing body may waive the nepotism rule for family members of a head administrator.

C. Nothing in this section shall prohibit the continued employment of a person employed on or before July 1, 2007."

Chapter 5 Section 3 Laws 2008

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

Senate Bill 257, with emergency clause

Approved February 13, 2008

LAWS 2008, CHAPTER 6

AN ACT

MAKING APPROPRIATIONS AND AUTHORIZING EXPENDITURES BY STATE AGENCIES.

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

Chapter 6 Section 1 Laws 2008

Section 1. JUDICIAL PROJECTS.--The following amounts are appropriated from the general fund to the following agencies for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. to the administrative office of the courts:

~~[(a) ten thousand dollars (\$10,000) for the court-appointed attorney fund;]~~ *LINE-ITEM VETO*

(b) ten thousand dollars (\$10,000) for the court-appointed special advocates program in the third judicial district;

~~[(c) seventy thousand dollars (\$70,000) for the court-appointed special advocates program in the fifth judicial district in Eddy county;~~

~~(d) ten thousand dollars (\$10,000) for the court-appointed special advocates program in the fifth judicial district in Lea county; and~~

~~(e) forty-five thousand dollars (\$45,000) for court security and a probation officer in the San Miguel magistrate court;]~~ *LINE-ITEM VETO*

2. to the third judicial district court, fifty- seven thousand five hundred dollars (\$57,500) for additional staff;

3. to the fifth judicial district court, twenty thousand dollars (\$20,000) for the drug court in Lea county;

4. to the seventh judicial district court, fifteen thousand dollars (\$15,000) for a drug court in Torrance county;

5. to the ninth judicial district court, thirty thousand dollars (\$30,000) to be divided equally between the Curry and Roosevelt county teen courts;

6. to the eleventh judicial district court, two hundred ten thousand seven hundred dollars (\$210,700) for alternative sentencing and crime reduction programs;

7. to the twelfth judicial district court:

~~[(a) ninety-seven thousand seven hundred dollars (\$97,700) for operational expenses; and]~~ *LINE-ITEM VETO*

(b) twenty thousand dollars (\$20,000) for juvenile and drug court programs;

8. to the thirteenth judicial district court:

(a) two hundred eleven thousand seven hundred dollars (\$211,700) for drug courts; and

(b) ten thousand dollars (\$10,000) for mental health court;

9. to the third judicial district attorney, thirty-three thousand four hundred dollars (\$33,400) for animal shelter services for animals in protective custody in Dona Ana county;

10. to the sixth judicial district attorney, forty thousand dollars (\$40,000) for information systems personnel; and

11. to the ninth judicial district attorney, twenty-five thousand dollars (\$25,000) for community prosecution programs.

Chapter 6 Section 2 Laws 2008

Section 2. ATTORNEY GENERAL PROJECTS.--The following amounts are appropriated from the general fund to the office of the attorney general for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. seventy-seven thousand nine hundred dollars (\$77,900) for the attorney general to pay costs associated with the enforcement of animal cruelty laws through the animal cruelty task force; and

2. eighty-two thousand dollars (\$82,000) for per diem and mileage expenses for public members of the task force to combat human trafficking, contingent on Senate Bill 71 of the second session of the forty-eighth legislature becoming law.

Chapter 6 Section 3 Laws 2008

Section 3. STATE AUDITOR PROJECT.--Ten thousand dollars (\$10,000) is appropriated from the general fund to the state auditor for expenditure in fiscal year 2009 to conduct audits of community land grants that receive public money. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 4 Laws 2008

Section 4. DEPARTMENT OF FINANCE AND ADMINISTRATION PROJECTS.--The following amounts are appropriated from the general fund to the department of finance and administration for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. fifteen thousand dollars (\$15,000) for disbursement to the state housing authority for a statewide affordable housing study;

~~[2. six thousand seven hundred dollars (\$6,700) for expenses associated with the citizen review board;]LINE- ITEM VETO~~

3. fifty-two thousand dollars (\$52,000) to carry out the provisions of the Manny Herrera Access to Healthy Foods Act, contingent on House Bill 180 or similar legislation of the second session of the forty-eighth legislature becoming law; and

4. for the mid-region council of governments:

(a) twenty-five thousand dollars (\$25,000) for a high-technology mentoring program at Robert F. Kennedy charter school in the Albuquerque public school district;

(b) ten thousand dollars (\$10,000) for recruiting retail businesses to downtown Albuquerque; and

(c) thirty thousand dollars (\$30,000) for a study of regional jail systems and incarceration alternatives.

Chapter 6 Section 5 Laws 2008

Section 5. LOCAL GOVERNMENT DIVISION PROJECTS.--The following amounts are appropriated from the general fund to the local government division of the department of finance and administration for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. two hundred sixty thousand dollars (\$260,000) for the youth mentoring programs;

2. three hundred thousand dollars (\$300,000) for rodeo projects;

3. fifty thousand dollars (\$50,000) for a preventive health pilot program in rural areas of northwestern New Mexico that works to identify and improve the health of persons suffering from diabetes, heart disease, obesity or other preventable health conditions;

4. forty-five thousand dollars (\$45,000) for environmental planning in northwestern New Mexico;

5. ten thousand dollars (\$10,000) for the southern New Mexico economic development district for planning and economic development training;

6. twenty thousand dollars (\$20,000) for the southwest regional transit district to purchase transportation for Luna, Grant and Hidalgo counties;

7. fifty thousand dollars (\$50,000) for matching funds for an economic development and labor study in McKinley and Cibola counties;

8. three hundred thirty-five thousand six hundred dollars (\$335,600) to contract with a private entity in Bernalillo county to operate a secure, long-term, statewide multijurisdictional residential rehabilitation and transition facility that admits persons who have been ordered to the facility by a New Mexico court;

9. twenty thousand dollars (\$20,000) for a transitional living program in Bernalillo county that offers temporary shelter, board, living skills education, behavioral health services and social services to homeless and runaway youth who are sixteen to twenty-one years old;

10. five thousand dollars (\$5,000) to provide free services consisting of cultural and arts programs to targeted areas of Bernalillo county;

11. twenty thousand dollars (\$20,000) to provide stimulus funds to develop and implement an early childhood program for hearing impaired children in Bernalillo county;

12. twelve thousand dollars (\$12,000) for a justice conference in Bernalillo county to improve the criminal justice system;

13. forty-three thousand dollars (\$43,000) for the youth day holiday in Bernalillo county;

14. thirty-eight thousand dollars (\$38,000) for expenses of a mail-in ballot election on the question of whether the unincorporated areas of the south valley of Bernalillo county should be incorporated as a new municipality;

15. fifteen thousand dollars (\$15,000) for Bernalillo county to provide educational training for persons studying for their general education development certificate;

16. twenty thousand dollars (\$20,000) for mentoring and education for youth in the Bernalillo county detention center;

17. twenty-four thousand dollars (\$24,000) for Bernalillo county to contract for an array of educational programs, including college entrance examination preparation, after-school tutoring, summer educational enrichment opportunities and adult computer literacy;

~~18. nineteen thousand five hundred dollars (\$19,500) for the Bernalillo county sheriff's office community policing rapid response;~~ *LINE-ITEM VETO*

19. nineteen thousand five hundred dollars (\$19,500) for the Albuquerque police department community policing rapid response;

20. eight thousand dollars (\$8,000) for a drug treatment program for troubled youth in southeast Albuquerque;

21. two thousand dollars (\$2,000) to support preschool programs in the area of Albuquerque bounded by Carlisle boulevard, Comanche street, San Mateo boulevard and Menaul avenue;

22. forty-five thousand dollars (\$45,000) to promote economic development and revitalization of the west Central corridor by contracting with a community organization for services and to facilitate communication and collaboration with ten neighborhood associations and two merchant associations;

23. thirteen thousand dollars (\$13,000) for youth sports programs in the old town area of Albuquerque;

24. five thousand dollars (\$5,000) for a bicycle repair and recycling program in the Atrisco area of the south valley in Bernalillo county;

25. fifteen thousand dollars (\$15,000) to establish an emergency housing fund for homeless middle and high school students in Albuquerque;

26. thirty thousand dollars (\$30,000) for a youth employment program in Grants;

27. fifteen thousand dollars (\$15,000) for the Chaves county character development program;

28. thirteen thousand dollars (\$13,000) for the domestic violence shelter program in Roswell;

29. twenty thousand dollars (\$20,000) for a textile arts training and micro-enterprise development program in Dona Ana county;

~~[30. ten thousand dollars (\$10,000) for staff at the Radium Springs community center;]~~ *LINE-ITEM VETO*

31. five thousand dollars (\$5,000) for the boys' and girls' club in Carlsbad;

32. twenty-five thousand dollars (\$25,000) for a youth mentoring program in Eddy county;

33. fifteen thousand dollars (\$15,000) for a childhood care resource program in Silver City;

34. twenty-five thousand dollars (\$25,000) for a coalition between Grant county and the municipalities within the county's boundaries;
35. twenty thousand dollars (\$20,000) to develop an after-prom and after-graduation anti-DWI program in Grant county;
36. seven thousand dollars (\$7,000) for the boys' and girls' club in Hobbs;
37. twenty-five thousand dollars (\$25,000) for domestic violence shelter operations in Hobbs;
38. thirty-three thousand dollars (\$33,000) for a domestic violence shelter operated by Lincoln county in Ruidoso Downs;
39. ten thousand dollars (\$10,000) for a youth mentoring program in Lincoln county;
40. ten thousand dollars (\$10,000) for transportation services between the Manuelito chapter of the Navajo Nation and Gallup;
41. five thousand dollars (\$5,000) for the McKinley county arts committee's work projects administration project;
42. eleven thousand dollars (\$11,000) for economic development projects in McKinley county;
43. one hundred sixteen thousand seven hundred dollars (\$116,700) for operational expenses of Gallup, including an economic development director and a grant writer;
44. twenty thousand dollars (\$20,000) for salaries of the Mora county sheriff's office;
45. eleven thousand dollars (\$11,000) for Mora county employees' salaries and operational expenses of Mora county;
46. fifteen thousand seven hundred dollars (\$15,700) for operational expenses for the Mora county attorney's office;
47. fourteen thousand six hundred dollars (\$14,600) for domestic violence shelter operations in Alamogordo;
48. fourteen thousand six hundred dollars (\$14,600) for training and per diem expenses for volunteers at La Luz fire station in Otero county;

49. ten thousand dollars (\$10,000) for recruitment of a medical provider for the Logan and Quay county health clinics;

50. twenty thousand dollars (\$20,000) for a teen technology and recreational center in Espanola;

51. twenty-two thousand dollars (\$22,000) for animal shelter services in Espanola;

52. five thousand dollars (\$5,000) for a youth summer enrichment and life skills program in Rio Arriba county;

53. twenty thousand dollars (\$20,000) for youth life skills programming in Rio Arriba county;

~~54. forty-one thousand seven hundred dollars (\$41,700) for programs to support healthy marriage and healthy family living for parents and their children in Rio Rancho;~~ *LINE-ITEM VETO*

55. seventy-five thousand dollars (\$75,000) for a contract spay and neuter program in Sandoval county;

56. twenty-five thousand dollars (\$25,000) for the Sandoval county Native American voting rights program;

57. fifty thousand dollars (\$50,000) for ambulance service in Cuba;

58. one hundred forty-five thousand dollars (\$145,000) for San Juan county for a medical affiliation program with the San Juan regional medical center and the university of New Mexico medical school;

59. sixty thousand dollars (\$60,000) for an education and sports program in Farmington;

60. ten thousand dollars (\$10,000) for canine drug inspections as requested by school districts in San Miguel county;

61. fifty-five thousand dollars (\$55,000) for a staff position for a San Miguel county bureau of elections;

62. twenty-five thousand dollars (\$25,000) for support staff for the San Miguel probate judge;

63. ten thousand dollars (\$10,000) for operational expenses of the fire department in Bernal in San Miguel county;

64. ten thousand dollars (\$10,000) for operational expenses of the fire department in Pecos in San Miguel county;

65. ten thousand dollars (\$10,000) for operational expenses of the fire department in Pueblo in San Miguel county;

66. sixteen thousand seven hundred dollars (\$16,700) for an athlete and coach leadership training program for junior wrestling at Santa Fe high school in the Santa Fe public school district;

67. ten thousand dollars (\$10,000) for a community alcohol and drug recovery program in Santa Fe county;

68. twenty thousand dollars (\$20,000) for the Pojoaque volunteer fire district's emergency medical and fire services;

69. five thousand dollars (\$5,000) for a Santa Fe transitional living program that provides apartments and life skills development for homeless youth ages sixteen to twenty- one;

70. thirty-five thousand dollars (\$35,000) for planning and other expenses to host the 2008 creative cities conference in Santa Fe;

71. seven thousand eight hundred dollars (\$7,800) to contract for training in ambassadorship, international service learning, job readiness and education services for at-risk youth in Taos county;

72. ten thousand eight hundred dollars (\$10,800) for paid construction training, general education development certificate instruction, leadership and job skills training, vocational carpentry education, opportunities for community service learning projects and paid construction training in Taos county;

73. five thousand dollars (\$5,000) for the Taos county youth build program;

74. ten thousand dollars (\$10,000) for a community drug and alcohol program in El Prado in Taos county;

75. fifteen thousand dollars (\$15,000) for community drug and alcohol programs in Talpa in Taos county;

76. fifty thousand dollars (\$50,000) for operational expenses of the driving while intoxicated memorial of perpetual tears in Moriarty;

77. seven thousand five hundred dollars (\$7,500) for training and professional development of emergency services personnel in Belen;

78. seven thousand five hundred dollars (\$7,500) for training and professional development of emergency services personnel in Los Lunas;

79. twenty thousand dollars (\$20,000) for training and professional development of emergency services personnel in Valencia county;

80. twenty thousand dollars (\$20,000) for a teen pregnancy prevention program in Valencia county; and

81. fifteen thousand dollars (\$15,000) to support anti-gang activities of law enforcement agencies in Valencia county.

Chapter 6 Section 6 Laws 2008

Section 6. GENERAL SERVICES DEPARTMENT PROJECT.--Twenty thousand dollars (\$20,000) is appropriated from the general fund to the general services department for expenditure in fiscal year 2009 for a full-time employee to implement the State Use Act program to expand employment opportunities for persons with disabilities. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 7 Laws 2008

Section 7. NEW MEXICO SENTENCING COMMISSION PROJECTS.-- The following amounts are appropriated from the general fund to the New Mexico sentencing commission for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund:

1. twenty-six thousand dollars (\$26,000) to study, on a statewide basis, whether bias-based policing exists in New Mexico and, if so, the effects of that bias;

2. twenty thousand dollars (\$20,000) to convene a task force to study the collateral consequences of criminal arrest, conviction and extended periods of incarceration and to make recommendations on how to neutralize or eliminate those consequences to the appropriate legislative interim committees before November 1, 2008; and

3. twenty thousand dollars (\$20,000) for a project to review the prevalence and results of all de novo appeals of DWI cases to district courts in New Mexico over a three- year period.

Chapter 6 Section 8 Laws 2008

~~[Section 8. GOVERNOR'S OFFICE PROJECT.--Forty-one thousand seven hundred dollars (\$41,700) is appropriated from the general fund to the governor's office~~

~~for expenditure in fiscal year 2009 to fund faith-based programs that support healthy marriage and healthy family living for parents and their children in Albuquerque and Bernalillo county. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.]~~*LINE-ITEM VETO*

Chapter 6 Section 9 Laws 2008

Section 9. DEPARTMENT OF INFORMATION TECHNOLOGY PROJECT.-- Three hundred thousand dollars (\$300,000) is appropriated from the general fund to the department of information technology for expenditure in fiscal year 2009 for the computing applications center. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 10 Laws 2008

Section 10. STATE COMMISSION OF PUBLIC RECORDS PROJECTS.--The following amounts are appropriated from the general fund to the state commission of public records for expenditure in fiscal year 2009 for the specified purposes and, unless otherwise indicated, any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund:

1. ten thousand dollars (\$10,000) for costs related to providing regulatory impact statements, contingent on House Business and Industry Committee Substitute for House Bill 310 or similar legislation of the second session of the forty-eighth legislature becoming law;

2. thirty thousand dollars (\$30,000) for the state historian's regional historian initiative; provided that this appropriation may be expended through fiscal year 2010; and

3. twenty-seven thousand dollars (\$27,000) for the land grant digital history project.

Chapter 6 Section 11 Laws 2008

Section 11. TOURISM DEPARTMENT PROJECTS.--The following amounts are appropriated from the general fund to the tourism department for expenditure in fiscal year 2009 for the specified purposes and, unless otherwise indicated, any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund:

1. fifty thousand dollars (\$50,000) to promote the arts, culture and sports unique to New Mexico's urban and rural communities;

2. twenty-five thousand dollars (\$25,000) for planning and implementation of the four hundredth anniversary celebration for the city of Santa Fe in 2010; provided that this appropriation may be expended through fiscal year 2010;

3. three hundred thousand dollars (\$300,000) for advertising and promotion, including sporting events;

~~4. five thousand dollars (\$5,000) to expand Mora county advertising;]~~ *LINE-ITEM VETO*

5. five thousand dollars (\$5,000) to market New Mexico's golf tourism offerings to out-of-state audiences;

6. fifty thousand dollars (\$50,000) to promote outdoor adventure recreation and tourism in McKinley county;

7. fifteen thousand dollars (\$15,000) for planning and implementation of the Espanola fiesta;

8. twenty-five thousand dollars (\$25,000) to promote the Santa Fe fiesta;
and

9. twenty thousand dollars (\$20,000) for operations of the sports authority division.

Chapter 6 Section 12 Laws 2008

Section 12. ECONOMIC DEVELOPMENT DEPARTMENT PROJECTS.-- The following amounts are appropriated from the general fund to the economic development department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. two hundred thousand dollars (\$200,000) for Hispanic and Native American filmmaking;

2. ten thousand dollars (\$10,000) for recruiting new business in New Mexico;

3. fifty thousand dollars (\$50,000) for Gallup to plan and administer its convention and visitors bureau, including promoting convention sales, convention services, tourism and events and other activities relating to economic development;

4. twenty thousand dollars (\$20,000) for economic development of the New Mexico wine industry;

5. ten thousand dollars (\$10,000) for an assistant program director for the mainstreet program;

6. twenty-five thousand dollars (\$25,000) to expand performance excellence training, assessment services and assistance to New Mexico businesses and organizations in order to encourage economic development and prosperity statewide by strengthening competitiveness and improving effectiveness using the Baldrige criteria for performance excellence;

7. sixty-four thousand dollars (\$64,000) to promote economic empowerment through business development, work force preparation, convention networking and tourism, with an emphasis on small businesses and Hispanic businesspeople;

8. twenty thousand dollars (\$20,000) for economic development partnerships;

~~9. nine thousand dollars (\$9,000) to foster high technology economic development in southern New Mexico;~~ *LINE- ITEM VETO*

10. ten thousand dollars (\$10,000) for economic development efforts in Springer;

11. five thousand dollars (\$5,000) for the Artesia mainstreet program;

12. five thousand dollars (\$5,000) for the Carlsbad mainstreet program;

13. six thousand dollars (\$6,000) for the Gallup business improvement district;

14. ten thousand dollars (\$10,000) for a Gallup film office;

15. seven thousand seven hundred dollars (\$7,700) to continue economic development through enterprise facilitation with leaders from several communities in Taos county; and

16. one hundred thousand dollars (\$100,000) for the manufacturing extension program.

Chapter 6 Section 13 Laws 2008

Section 13. REGULATION AND LICENSING DEPARTMENT PROJECT.--One hundred twenty-five thousand dollars (\$125,000) is appropriated from the general fund to the regulation and licensing department for expenditure in fiscal year 2009 for legal services. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 14 Laws 2008

Section 14. STATE FAIR PROJECTS.--The following amounts are appropriated from the general fund to the state fair commission for expenditure in fiscal year 2009 for the specified purposes and, unless otherwise indicated, any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund:

1. fifty thousand dollars (\$50,000) for operational expenses of the African-American performing arts center; and
2. thirty thousand dollars (\$30,000) for a mathematics, science and literacy program for school-aged children at the African-American performing arts center.

Chapter 6 Section 15 Laws 2008

Section 15. SPACEPORT AUTHORITY PROJECT.--One hundred forty-three thousand dollars (\$143,000) is appropriated from the general fund to the spaceport authority for expenditure in fiscal year 2009 for one full-time-equivalent position and marketing expenses. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 16 Laws 2008

Section 16. CULTURAL AFFAIRS DEPARTMENT PROJECTS.--The following amounts are appropriated from the general fund to the cultural affairs department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. one thousand dollars (\$1,000) for the rural library development fund;
2. ten thousand dollars (\$10,000) for educational initiatives, information and marketing for the opening of the New Mexico history museum;
3. thirty-one thousand seven hundred dollars (\$31,700) for education programs at the national Hispanic cultural center;
4. sixty thousand dollars (\$60,000) to the library division for [~~grants-in-aid to~~] rural libraries in Rio Arriba county, with each of six libraries receiving ten thousand dollars (\$10,000); *LINE-ITEM VETO*
5. sixty-eight thousand five hundred dollars (\$68,500) to support a statewide education and outreach program for youth by a professional orchestra;

6. sixty-six thousand seven hundred dollars (\$66,700) to implement and operate a youth education program that includes art integration curriculum projects, outreach projects at schools, pueblos and community service organizations, as well as professional development for teachers;

7. sixteen thousand seven hundred dollars (\$16,700) for a film festival about the Native American perspective on the environment;

8. fifty thousand dollars (\$50,000) to build electronic infrastructure and web sites for Native American artists and youth;

9. thirty-seven thousand five hundred dollars (\$37,500) to contract with a nonprofit music organization that organizes a competition in which children twelve years of age and under compete to hear their musical compositions performed in concert and recorded on compact disc;

10. twenty thousand dollars (\$20,000) for cultural and arts programs and educational outreach in Bernalillo county;

11. five thousand dollars (\$5,000) to provide symphony music programs and concerts in Albuquerque;

12. eighty-eight thousand one hundred dollars (\$88,100) for education programs at a science center and children's museum in Albuquerque;

13. forty-two thousand five hundred dollars (\$42,500) to support cultural programming in the Chimayo area;

14. two hundred thousand dollars (\$200,000) for staff and expenses associated with the development of a veterans' museum in Las Cruces;

15. eighty thousand dollars (\$80,000) to provide symphony orchestra music programs and concerts in Roswell;

16. nineteen thousand dollars (\$19,000) to assist farmers in the production, preservation and marketing of Chimayo chile;

17. one thousand dollars (\$1,000) for operations of the historic preservation division;

18. twenty-nine thousand dollars (\$29,000) to contract for a jazz music workshop that provides jazz education programs for underserved and underrepresented children and communities in the state;

19. twenty thousand dollars (\$20,000) for a statewide public humanities program, including a historical speaker program and traveling historical exhibitions;

20. forty thousand dollars (\$40,000) for the Taylor Barela Reynolds Mesilla state monument;

21. two thousand five hundred dollars (\$2,500) for publication of a series of stories from a community perspective containing cultural experiences, history, folklore, traditions and development over the last one hundred years for each of New Mexico's counties in celebration of New Mexico's centennial;

22. seven thousand seven hundred dollars (\$7,700) for a film project on Padre Antonio Jose Martinez;

23. thirty-nine thousand five hundred dollars (\$39,500) to support a summer ballet festival in Albuquerque;

24. five thousand dollars (\$5,000) for the Gallup centennial celebration program;

25. fourteen thousand seven hundred dollars (\$14,700) for operational expenses of the Alamogordo museum of history;

26. five thousand dollars (\$5,000) for transportation and fees for students attending performances at the Flickinger center in Alamogordo;

27. twenty-five thousand dollars (\$25,000) for an art and culture historic preservation program at Mountain View elementary school in the Espanola school district;

28. twenty thousand dollars (\$20,000) for main stage performing arts productions for children performed by children, classes for children in all of the performing arts disciplines, educational outreach programs in the performing arts that have a bilingual component and operational expenses for a performing arts theater in Santa Fe county; and

29. twenty-five thousand dollars (\$25,000) to establish an outreach program and scholarships for students in Santa Fe county to attend dance and pre-professional dance education programs.

Chapter 6 Section 17 Laws 2008

Section 17. ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT PROJECTS.--The following amounts are appropriated from the general fund to the energy, minerals and natural resources department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund:

1. twenty-six thousand dollars (\$26,000) for the state parks division's outdoor classroom program;
2. ten thousand dollars (\$10,000) for an outdoor classroom program to serve the students of the Valley high school cluster in the Albuquerque public school district;
3. ten thousand dollars (\$10,000) for an outdoor classroom program in Eddy county;
4. ten thousand dollars (\$10,000) for the state parks division to conduct a feasibility study of establishing Ship Rock pinnacle, located on the Navajo reservation, as a state park;
5. seventy-five thousand dollars (\$75,000) for Ciudad soil and water conservation district projects;
6. twenty thousand dollars (\$20,000) to support the forest worker safety certification program;
7. one hundred eighty-nine thousand dollars (\$189,000) for oil conservation program costs; and
8. two hundred fifty thousand dollars (\$250,000) for the New Mexico renewable energy transmission authority.

Chapter 6 Section 18 Laws 2008

Section 18. STATE ENGINEER PROJECT.--Eight thousand three hundred dollars (\$8,300) is appropriated from the general fund to the office of the state engineer for expenditure in fiscal year 2009 for legal expenses for the Lincoln county Hondo river adjudicator. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 19 Laws 2008

Section 19. OFFICE ON AFRICAN-AMERICAN AFFAIRS PROJECT.--Eight thousand dollars (\$8,000) is appropriated from the general fund to the office on African-American affairs for expenditure in fiscal year 2009 to contract with a community organization serving African-American, Hispanic and low-income youth in southwestern and southeastern Albuquerque to help eliminate underage and binge drinking through community involvement. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 20 Laws 2008

Section 20. COMMISSION FOR THE BLIND PROJECT.--Twenty- five thousand dollars (\$25,000) is appropriated from the general fund to the commission for the blind for expenditure in fiscal year 2009 for positions to provide rehabilitation training. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 21 Laws 2008

Section 21. INDIAN AFFAIRS DEPARTMENT PROJECTS.--The following amounts are appropriated from the general fund to the Indian affairs department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. fifty thousand dollars (\$50,000) for an American Indian organization with [~~over thirty years~~] experience in Indian law and policy to assist tribes to develop tribal court systems and promote Indian law and policy development and training;*LINE-ITEM VETO*

2. forty-seven thousand dollars (\$47,000) for increased economic development activities for the state's American Indian nations, tribes and pueblos;

3. ten thousand dollars (\$10,000) for a summer youth conservation program in Navajo Nation chapters in the eastern Navajo agency;

4. fifteen thousand dollars (\$15,000) for a Casamero lake watershed restoration project;

5. five thousand dollars (\$5,000) to support Native American cultural education for youths in Albuquerque;

6. twenty thousand dollars (\$20,000) for Native American performances of traditional and contemporary Native American performing arts throughout New Mexico;

7. thirty thousand dollars (\$30,000) to plan for and support a distance education program for Native American tribal members and program managers;

8. ten thousand dollars (\$10,000) for a Native American transit program;
and

9. fifteen thousand dollars (\$15,000) to establish youth development programs in tribal communities to promote self-esteem, health and wellness through running.

Chapter 6 Section 22 Laws 2008

Section 22. AGING AND LONG-TERM SERVICES DEPARTMENT PROJECTS.-
-The following amounts are appropriated from the general fund to the aging and long-term services department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. twenty-five thousand dollars (\$25,000) to assist persons with brain injuries to receive social, vocational and educational support;
2. twenty thousand dollars (\$20,000) to provide assistance, transportation, organized activities and other services for Eddy county senior citizen centers;
3. fifteen thousand dollars (\$15,000) for Guadalupe county senior center programs;
4. twenty-five thousand dollars (\$25,000) for Ramah senior center programs; and
5. two thousand dollars (\$2,000) for a traumatic brain injury awareness campaign.

Chapter 6 Section 23 Laws 2008

Section 23. HUMAN SERVICES DEPARTMENT PROJECTS.--The following amounts are appropriated from the general fund to the human services department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund:

1. forty thousand dollars (\$40,000) for behavioral health and support services for Native Americans in northwest New Mexico; and
2. fifteen thousand dollars (\$15,000) to support a day program for persons with severe mental illness using the clubhouse model to facilitate recovery through socialization and life skills training; vocational rehabilitation and employment services; educational and housing services; and reintegration into the greater community.

Chapter 6 Section 24 Laws 2008

Section 24. WORKFORCE SOLUTIONS DEPARTMENT PROJECT.-- Fifty thousand dollars (\$50,000) is appropriated from the general fund to the workforce solutions department for expenditure in fiscal year 2009 for a workforce literacy project. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 25 Laws 2008

Section 25. GOVERNOR'S COMMISSION ON DISABILITY PROJECTS.--The following amounts are appropriated from the general fund to the governor's commission on disability for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund:

1. fifty thousand dollars (\$50,000) for operational support of the community outreach program for the deaf; and
2. two thousand dollars (\$2,000) for driver's training for the elderly and disabled.

Chapter 6 Section 26 Laws 2008

Section 26. DEPARTMENT OF HEALTH PROJECTS.--The following amounts are appropriated from the general fund to the department of health for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. two hundred twenty thousand dollars (\$220,000) for telehealth;
- ~~2. thirty-three thousand two hundred dollars (\$33,200) to conduct environmental assessments of public schools pursuant to the indoor air quality tools for schools program;]~~*LINE-ITEM VETO*
3. ninety-seven thousand six hundred dollars (\$97,600) to support the twenty-four-hour nurse advice line;
4. ten thousand dollars (\$10,000) to establish a cardiovascular disease prevention program;
5. fifty thousand dollars (\$50,000) to establish a healthy New Mexico task force and to develop and implement a strategic plan to prevent and manage chronic diseases;
6. one hundred twenty-five thousand dollars (\$125,000) for legal services pertaining to medical marijuana;
7. forty-four thousand dollars (\$44,000) to provide birthing service providers with assistance with malpractice premiums, contingent on House Bill 167 or similar legislation of the second session of the forty-eighth legislature becoming law;
8. fifteen thousand dollars (\$15,000) to develop a pilot project to provide special needs children a place to develop skills through horseback riding;

9. twenty thousand dollars (\$20,000) for a residential summer camp for children with autism spectrum disorder;
10. one thousand dollars (\$1,000) to support autism spectrum disorder-specific groups, including diagnosis;
11. twelve thousand dollars (\$12,000) for volunteer-led clinics to help cancer patients or caregivers navigate legal, insurance and other paperwork issues and to supply them with a cancer treatment organizer tool;
12. thirty thousand dollars (\$30,000) for services for veterans exposed to uranium;
13. thirty-five thousand dollars (\$35,000) for rape crisis services in central New Mexico;
14. nineteen thousand dollars (\$19,000) for a primary care residency program in southwest New Mexico;
15. sixty thousand dollars (\$60,000) for the Bernalillo county off-reservation Native American health care commission, contingent on House Bill 236 or similar legislation of the second session of the forty-eighth legislature becoming law;
16. fifty-five thousand dollars (\$55,000) to provide services to indigent cancer patients in Chaves, Eddy, Lea and Lincoln counties, including home health services, medications and transportation;
17. twenty thousand dollars (\$20,000) for the first step pre- and perinatal clinic to provide services, including prenatal, delivery and postnatal services, for uninsured low-income pregnant women with high-risk conditions in Dona Ana county;
18. thirty thousand dollars (\$30,000) for a regional treatment center for alcohol and substance abuse in Eddy county;
19. twenty thousand dollars (\$20,000) for telehealth psychiatry conferencing and clinical consultation programs serving children, families and health care providers in Eddy county;
20. five thousand dollars (\$5,000) for a comprehensive health study of the effects of past uranium mining and milling practices on the health of residents of McKinley and Cibola counties, including members of the Navajo Nation;
21. five thousand dollars (\$5,000) for a teen pregnancy prevention program in Otero county that provides a comprehensive educational approach, including a combination of abstinence, sexual responsibility, contraception and disease prevention;

22. four thousand six hundred dollars (\$4,600) for a smoking cessation program for youths in Otero county;

23. fifty thousand dollars (\$50,000) for a northern New Mexico traditional healing training program for substance abuse treatment in Rio Arriba county;

24. fifteen thousand dollars (\$15,000) for the Las Vegas special olympics;

25. seventy-five thousand dollars (\$75,000) for operational support for women's health services in Santa Fe;

26. thirty-five thousand dollars (\$35,000) to contract with a general hospital in Socorro county for perinatal health care in rural areas of Socorro county;

27. ten thousand eight hundred dollars (\$10,800) to contract with an organization that provides community education and wellness programs and to provide access to essential state services in the Penasco-Pueblo of Picuris area;

28. seven thousand seven hundred dollars (\$7,700) for Taos county long-term alcohol treatment services; and

29. seven thousand seven hundred dollars (\$7,700) for alcohol treatment services in Talpa in Taos county.

Chapter 6 Section 27 Laws 2008

Section 27. DEPARTMENT OF ENVIRONMENT PROJECTS.--The following amounts are appropriated from the general fund to the department of environment for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund:

1. thirty thousand dollars (\$30,000) for a Ruidoso river restoration committee to determine the most effective means of controlling phosphorus and nitrogen in the river;

2. ten thousand dollars (\$10,000) to clean, deodorize and sanitize commercial and residential refuse containers statewide in compliance with federal clean water regulations;

3. twenty thousand dollars (\$20,000) for Albuquerque to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;

4. ten thousand dollars (\$10,000) for Belen to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;

~~[5. five thousand dollars (\$5,000) for Bernalillo to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;]~~*LINE-ITEM VETO*

6. ten thousand dollars (\$10,000) for Corrales to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;

~~[7. forty thousand dollars (\$40,000) for Deming to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;]~~*LINE-ITEM VETO*

8. fifteen thousand dollars (\$15,000) for Espanola to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;

9. ten thousand dollars (\$10,000) for Grants to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;

10. fifteen thousand dollars (\$15,000) for Portales to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;

~~[11. five thousand dollars (\$5,000) for Questa to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;]~~

~~12. fifteen thousand dollars (\$15,000) for Raton to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;]~~*LINE-ITEM VETO*

13. nineteen thousand dollars (\$19,000) for the city of Taos to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;

14. twenty thousand dollars (\$20,000) for Valencia county to clean, deodorize and sanitize commercial and residential refuse containers in compliance with federal clean water regulations;

15. eleven thousand dollars (\$11,000) for Los Ranchos de Albuquerque to implement the provisions of federal clean water regulations; and

16. twenty-two thousand five hundred dollars (\$22,500) for Tularosa to implement the provisions of federal clean water regulations.

Chapter 6 Section 28 Laws 2008

Section 28. VETERANS' SERVICES DEPARTMENT PROJECTS.-- The following amounts are appropriated from the general fund to the veterans' services department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. twenty-five thousand dollars (\$25,000) for integrative services for needy veterans; and
2. sixty-one thousand seven hundred dollars (\$61,700) for outreach programs for homeless and at-risk veterans.

Chapter 6 Section 29 Laws 2008

Section 29. CHILDREN, YOUTH AND FAMILIES DEPARTMENT PROJECTS.-- The following amounts are appropriated from the general fund to the children, youth and families department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. one hundred eleven thousand seven hundred dollars (\$111,700) to provide children and families with access to a best-practices, character-building youth dance program offered in partnership with local school districts;
2. ten thousand dollars (\$10,000) to provide children and families with access to a best-practices, character-building youth dance program offered in partnership with local school districts in Colfax and Union counties;
3. five thousand dollars (\$5,000) to provide children and families with access to a best-practices, character-building youth dance program offered in partnership with local school districts in Dona Ana county;
4. three thousand seven hundred dollars (\$3,700) to provide children and families with access to a best- practices, character-building youth dance program offered in partnership with the local school district in Capitan;
5. five thousand dollars (\$5,000) to provide children and families with access to a best-practices, character-building youth dance program offered in partnership with local school districts in Luna county;

6. five thousand dollars (\$5,000) to provide children and families with access to a best-practices, character-building youth dance program offered in partnership with Turquoise Trail charter school in the Santa Fe public school district;

7. two hundred thousand dollars (\$200,000) for programs for children of incarcerated adults;

8. five thousand dollars (\$5,000) to contract with an organization for a program that teaches experiential, adrenaline-based, full-contact personal self-defense skills to children and teens, including wheelchair users and children who are sight- or hearing-impaired;

9. three thousand dollars (\$3,000) for the cost of transportation for high-risk children and families to receive health care prevention and treatment services;

10. fifty thousand dollars (\$50,000) for case management, therapy, educational and vocational mentoring and training in life and parenting skills and in early childhood development for single teen mothers and their babies in a residential home;

11. twenty-seven thousand dollars (\$27,000) to contract with the Roswell recreation department to coordinate an educational science festival for fourth-, fifth- and sixth-grade and other gifted students in southeastern New Mexico;

12. twenty-five thousand dollars (\$25,000) to contract with a community-based organization in Dexter to increase social interactions for children and young adults with autism spectrum disorders and to provide training to staff and caregivers;

13. ten thousand dollars (\$10,000) for child care services for homeless children in Dona Ana county;

14. fifteen thousand dollars (\$15,000) for a parent-child education program in Dona Ana county;

15. one hundred thousand dollars (\$100,000) for learning enrichment programs for youth exiting detention facilities in Dona Ana county;

16. thirty thousand dollars (\$30,000) for the jardin de los ninos program in Dona Ana county;

17. thirty thousand dollars (\$30,000) for domestic violence programs in Eddy and Otero counties;

18. forty-eight thousand one hundred seventy dollars (\$48,170) for the no child left inside program in Santa Fe; and

19. twenty-four thousand four hundred dollars (\$24,400) for transitional living services for homeless, abused and neglected youth in Taos county.

Chapter 6 Section 30 Laws 2008

Section 30. CORRECTIONS DEPARTMENT PROJECT.--Fifteen thousand dollars (\$15,000) is appropriated from the general fund to the corrections department for expenditure in fiscal year 2009 for a community housing program in Bernalillo and Sandoval counties for sex offenders and other persons released from prison. Any unexpended or unencumbered balance of the appropriation remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 31 Laws 2008

Section 31. DEPARTMENT OF PUBLIC SAFETY PROJECTS.--The following amounts are appropriated from the general fund to the department of public safety for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. twenty thousand dollars (\$20,000) for the Albuquerque metropolitan police athletic league;
2. sixty-eight thousand dollars (\$68,000) to support the drunk busters program and add two full-time- equivalent positions;
3. ten thousand dollars (\$10,000) for the New Mexico state police youth academy; and
4. sixty-five thousand dollars (\$65,000) for stress reduction and stress management training for public safety first responders.

Chapter 6 Section 32 Laws 2008

~~[Section 32. DEPARTMENT OF MILITARY AFFAIRS PROJECT.-- Fifty thousand dollars (\$50,000) is appropriated from the general fund to the department of military affairs for expenditure in fiscal year 2009 to provide New Mexico active duty military personnel in Iraq and Afghanistan with military equipment. Any unexpended or unencumbered balance of the appropriation remaining at the end of fiscal year 2009 shall revert to the general fund.]~~*LINE-ITEM VETO*

Chapter 6 Section 33 Laws 2008

Section 33. PUBLIC EDUCATION DEPARTMENT PROJECTS.--The following amounts are appropriated from the general fund to the public education department for

expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. three hundred thousand dollars (\$300,000) for anti-obesity programs in school districts statewide;
2. one million dollars (\$1,000,000) for the statewide school breakfast program;
3. three hundred thousand dollars (\$300,000) for the charter schools stimulus fund;
4. two hundred fifty thousand dollars (\$250,000) for the innovative digital education and learning program;
5. forty-three thousand two hundred dollars (\$43,200) for trophies, medals and printing costs for a statewide activities association;
6. thirty thousand dollars (\$30,000) for professional development in social studies and civics statewide;
7. eight thousand dollars (\$8,000) to support programs that promote the importance of civic education;
8. fifty thousand dollars (\$50,000) to the New Mexico government education fund to contract for annual week- long high school civics courses focusing on New Mexico state government for boys and girls held at various post-secondary educational institutions;
9. fifty thousand dollars (\$50,000) to support registered apprenticeship programs through the Apprenticeship Assistance Act;
10. five thousand dollars (\$5,000) to support industrial arts, career-technical and vocational training programs in high schools statewide;
11. ten thousand dollars (\$10,000) for a program to prevent violence and bullying in public schools;
12. ten thousand dollars (\$10,000) for education of middle and high school students in the use of advanced computers;
13. twenty-five thousand dollars (\$25,000) for professional judgment of educators in the La Cueva and Eldorado clusters of the Albuquerque public school district;

14. twenty thousand dollars (\$20,000) for students and families to participate in a best-practice, character- building youth dance program at Mission Avenue elementary school in the Albuquerque public school district;

15. thirty thousand dollars (\$30,000) for a job program at Nuestros Valores charter school in the Albuquerque public school district;

16. five thousand dollars (\$5,000) to increase access for students in black student organizations in the Albuquerque public school district to access programs that improve test scores, study skills, graduation rates and post- secondary success;

17. ten thousand dollars (\$10,000) for a full-time grant researcher and writer in the Belen consolidated school district;

18. twenty-five thousand dollars (\$25,000) for training and professional development for teachers in the Belen consolidated school district;

19. ten thousand dollars (\$10,000) for student and faculty training at Moreno Valley charter high school in the Cimarron municipal school district;

20. twenty thousand dollars (\$20,000) for after- school learning programs for elementary and middle school students in the Espanola public school district;

21. seven thousand dollars (\$7,000) for a parent conference and outreach activity for special needs children in the Gadsden independent school district;

22. ninety-four thousand seven hundred dollars (\$94,700) to establish and support the activities of a districtwide student discipline advisory council in the Gadsden independent school district;

23. twenty-five thousand dollars (\$25,000) for the promise for success program in the Gadsden independent school district;

24. thirty thousand dollars (\$30,000) for Saturday school programs for at-risk high school students in the Grants-Cibola county school district;

25. twenty-five thousand dollars (\$25,000) for dropout and truancy prevention programs in the Grants-Cibola county school district;

26. ten thousand dollars (\$10,000) for a student support program in the Hondo Valley public school district;

27. twenty-five thousand dollars (\$25,000) for a summer intensive instruction pilot project at Las Cruces high schools;

28. five thousand dollars (\$5,000) for graduation preparation counseling for high school seniors in the Los Lunas public school district;

29. sixty thousand dollars (\$60,000) for the Los Lunas high school reform and college readiness project, including academic coaches, smaller learning communities and professional development through summer institutes;

30. five thousand dollars (\$5,000) for information technology in the Mora independent school district;

31. one hundred thousand dollars (\$100,000) for an after-school learning center in the Mountainair public school district;

32. fifty-five thousand dollars (\$55,000) for after-school programs for elementary and middle school students in the Pojoaque Valley public school district;

33. five thousand dollars (\$5,000) to develop a model program at four schools in Rio Arriba county for a New Mexico standards-based student progress tracking system;

34. ten thousand dollars (\$10,000) for students in the Rio Rancho public school district to participate in the New Mexico supercomputing challenge;

35. sixty-three thousand five hundred dollars (\$63,500) for the Rio Rancho public school district cyber academy;

36. five thousand dollars (\$5,000) for a student support program at Roswell high school;

37. sixty thousand dollars (\$60,000) for an extended day program in the Santa Fe public school district;

38. fifteen thousand dollars (\$15,000) to contract with a nonprofit organization dedicated to improving science education in the Santa Fe public school district to provide teacher training and in-class mentors for students and to integrate hands-on science techniques into standard elementary school curricula;

39. twenty-five thousand dollars (\$25,000) to develop and implement a restorative justice program as an alternative method to deal with school-based offenses in the Santa Fe public school district;

40. five thousand dollars (\$5,000) for a public school youth court initiative in the Santa Fe public school district;

41. ten thousand dollars (\$10,000) for music and athletic programs at Valley middle school in the West Las Vegas public school district;

42. five thousand dollars (\$5,000) for school bus training supplies and materials for West Las Vegas and Las Vegas city public school districts;

43. seven thousand seven hundred dollars (\$7,700) to enhance programs in Questa, Taos, the Pueblo of Taos, the Pueblo of Picuris and Penasco that empower youths ages six to eighteen years to influence their communities and improve themselves;

44. seven thousand seven hundred dollars (\$7,700) for water conservation measures in the Taos municipal school district;

45. seven thousand seven hundred dollars (\$7,700) for a basketball program in Taos for sixth graders; and

46. twenty thousand dollars (\$20,000) for Valencia high school band uniforms.

Chapter 6 Section 34 Laws 2008

Section 34. HIGHER EDUCATION DEPARTMENT PROJECTS.--The following amounts are appropriated from the general fund to the higher education department for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. thirty-three thousand dollars (\$33,000) to continue the study regarding part-time faculty at public post-secondary educational institutions;

2. sixty thousand dollars (\$60,000) to continue the task force on cultural competence in health education;

3. one hundred thousand dollars (\$100,000) for the nurse educators fund;

4. one million dollars (\$1,000,000) for clinical faculty and staff and an increase in the number of dental residents in certain locations around the state;

5. four hundred eighty thousand dollars (\$480,000) for the health professional loan repayment fund;

6. two hundred fifty thousand dollars (\$250,000) for the medical student loan for service fund;

7. two hundred fifty thousand dollars (\$250,000) for the innovative digital education and learning program;

8. forty-seven thousand dollars (\$47,000) for expenditure in fiscal year 2009 and subsequent fiscal years to provide matches for higher education scholarships offered by a New Mexico-based nonprofit foundation that provides needs- and merit-based scholarships to New Mexico high school students; provided that the appropriation in Subsection 1 of Section 36 of Chapter 21 of Laws 2007 for scholarship matching funds shall be combined with the appropriation in this subsection; and provided further that no money from these appropriations shall be used for any operational expenses of the department or the foundation;

9. one hundred five thousand dollars (\$105,000) to contract for a community concert and lecture series, peer education of students, conflict resolution programs, documentary and history projects, efforts to attract movie production to Santa Fe and other support for continuing education programs in the Santa Fe area;

10. for central New Mexico community college:

(a) eleven thousand dollars (\$11,000) to establish an educational program for athletes attending four- year public post-secondary educational institutions, consisting of developmental courses to help increase the grade-point average of student athletes without sacrificing athletic eligibility; and

(b) twenty-four thousand dollars (\$24,000) for student transportation;

11. for Luna community college:

(a) fifteen thousand dollars (\$15,000) for bridge scholarships; and

(b) five thousand dollars (\$5,000) for equipment for the wellness center;

12. for Mesalands community college, twenty-five thousand dollars (\$25,000) for the intercollegiate rodeo program;

13. for New Mexico junior college, two hundred forty-one thousand six hundred dollars (\$241,600) for intercollegiate athletics; and

14. for Santa Fe community college:

(a) thirty thousand dollars (\$30,000) for a sign language interpreting program; and

(b) fifty-eight thousand dollars (\$58,000) for the nursing program.

Chapter 6 Section 35 Laws 2008

Section 35. UNIVERSITY OF NEW MEXICO PROJECTS.--The following amounts are appropriated from the general fund to the board of regents of the university of New Mexico for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. one hundred seventeen thousand dollars (\$117,000) to develop a land grant studies program;
2. thirty-six thousand dollars (\$36,000) for the manufacturing engineering program;
3. eighty-five thousand dollars (\$85,000) for the center for biomedical engineering for fluidless, noninvasive alcohol scanning devices;
4. ninety thousand dollars (\$90,000) for sustainable education and work force development programs in biomedical engineering;
5. twenty-six thousand dollars (\$26,000) to enhance pre-college science and mathematics skills for minority students through the college of engineering special programs;
6. fifteen thousand dollars (\$15,000) for the sustainability studies program;
7. one hundred forty-five thousand dollars (\$145,000) for the arts laboratory interdisciplinary film and digital media program;
8. sixty thousand dollars (\$60,000) for the department of media arts to provide digital media training and outreach for youth in Albuquerque;
9. fifty thousand dollars (\$50,000) for a theatre company in residence at the department of theatre and dance;
10. one hundred one thousand seven hundred dollars (\$101,700) for the indigenous nations library program;
11. fifty thousand dollars (\$50,000) for international studies;
12. ten thousand dollars (\$10,000) for the violin program in the university college research service learning program;
13. for the college of education:
 - (a) sixty-eight thousand dollars (\$68,000) for the family development program, including conducting research-based professional development

workshops throughout the state and providing materials relative to early-childhood education; and

(b) ten thousand dollars (\$10,000) to develop and pilot a curriculum in youth leadership for civil rights;

14. one hundred forty-one thousand dollars (\$141,000) to recruit and retain students and faculty for the Latin American studies program;

15. forty-six thousand two hundred dollars (\$46,200) to recruit and retain faculty and enhance curriculum and outreach activities at the Latin American and Iberian institute and the Latin American studies program;

16. eight thousand dollars (\$8,000) for programs at the center for Latin American resources and outreach;

17. ten thousand dollars (\$10,000) for the Africana studies faculty initiative;

18. eighty-five thousand dollars (\$85,000) for the young children's health clinic;

19. for the health sciences center:

(a) fifty-one thousand seven hundred dollars (\$51,700) for the integrative medicine program at the school of medicine;

(b) thirty-one thousand seven hundred dollars (\$31,700) for a career pathway program that encourages and retains underrepresented students in health sciences and health professions;

(c) fifty thousand dollars (\$50,000) for the center for Native American health to develop a student pipeline program in health careers at Santa Fe Indian school;

(d) sixty-four thousand dollars (\$64,000) for a comprehensive rural health care outreach program in cooperation with the cooperative extension service at New Mexico state university;

(e) ten thousand dollars (\$10,000) for an arts in medicine program at the cancer research center;

(f) fifty thousand dollars (\$50,000) to support a hepatitis C program;
and

(g) eighty thousand dollars (\$80,000) to increase the budget of the New Mexico poison and drug information center of the college of pharmacy;

20. for the law school:

(a) thirty thousand dollars (\$30,000) for mock trials;

(b) twelve thousand five hundred dollars (\$12,500) for the Corinne Wolfe children's law center to provide training, technical assistance and research concerning abuse and neglect and juvenile justice;

(c) fifty-five thousand dollars (\$55,000) for the Utton transboundary resources center, including research, education and the promotion of sustainable use and management of the transboundary water resources;

(d) thirty-eight thousand dollars (\$38,000) for college preparatory mentoring programs for Albuquerque public school students in grades eight through twelve;

(e) one hundred two thousand dollars (\$102,000) to establish the Justice Pamela Minzner endowed chair; and

(f) fifteen thousand dollars (\$15,000) to host a national Latina/Latino law conference;

21. seventeen thousand dollars (\$17,000) for the Alfonso Ortiz center at the Maxwell museum;

22. twenty-five thousand dollars (\$25,000) for the Julian Samosa legacy project to make anthropological papers of Julian Samosa more accessible for research;

23. thirty-five thousand dollars (\$35,000) for the youth sports mentors program;

24. sixteen thousand seven hundred dollars (\$16,700) for scholarships for students enrolled in the reserve officer training corps;

25. fifteen thousand dollars (\$15,000) for Hispanic youth leadership training provided by a student- based organization at the university;

26. twenty thousand dollars (\$20,000) for resource center raza planning;

27. fifty thousand dollars (\$50,000) for the bureau of business and economic research at the institute for applied research services to conduct an incorporation census of the south valley of Bernalillo county;

28. fifteen thousand dollars (\$15,000) for an at- risk youth mural project focused on history, traditions and customs of south valley communities in Bernalillo county; and

29. fifty thousand dollars (\$50,000) for operations at the south championship golf course.

Chapter 6 Section 36 Laws 2008

Section 36. NEW MEXICO STATE UNIVERSITY PROJECTS.--The following amounts are appropriated from the general fund to the board of regents of New Mexico state university for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. for the college of health and social services:

(a) one hundred seventy-one thousand seven hundred dollars (\$171,700) for speech-language pathology and autism outreach services;

(b) twenty thousand dollars (\$20,000) to expand the communication disorders program to increase the number of speech-language pathologists in the public schools, in collaboration with the university of New Mexico; and

(c) forty-one thousand seven hundred dollars (\$41,700) for the family wellness program;

2. forty thousand dollars (\$40,000) for the hotel, restaurant and tourism management prostart partnership;

3. twenty thousand dollars (\$20,000) to support a Native American youth culinary arts program;

4. five thousand dollars (\$5,000) for degree programs in aerospace engineering;

5. twenty thousand dollars (\$20,000) for the pre- engineering program;

6. ten thousand dollars (\$10,000) for the alliances for underrepresented students program to increase degrees in science, technology, engineering and mathematics;

7. seventy-one thousand dollars (\$71,000) for the science education enhancement and elementary and secondary teacher outreach program;

8. fifteen thousand dollars (\$15,000) to support professional development for teachers of secondary and post- secondary English;

9. sixteen thousand seven hundred dollars (\$16,700) for operating expenses of educational television KRWG;

10. ten thousand dollars (\$10,000) for a student- athlete academic support program;

11. twenty-five thousand dollars (\$25,000) to expand the institute for international relations;

12. twenty thousand dollars (\$20,000) to establish a Pan American dance institute;

13. ten thousand dollars (\$10,000) for the Kenneth Barrick endowment fund;

14. forty-five thousand dollars (\$45,000) for outreach to and retention of students in Chicano programs;

15. thirty-five thousand dollars (\$35,000) for student travel expenses to national and regional agricultural secondary education events;

16. ninety-nine thousand three hundred dollars (\$99,300) for the range improvement task force;

17. to the New Mexico department of agriculture:

(a) thirty-two thousand dollars (\$32,000) for the farmers' market nutrition enhancement program;

~~[(b) thirteen thousand five hundred dollars (\$13,500) for the sustainable agriculture research education center;]~~ *LINE-ITEM VETO*

(c) twenty-five thousand dollars (\$25,000) for the Memorial middle school agriculture science center in the Las Vegas city public school district;

(d) thirty thousand dollars (\$30,000) for the east Torrance soil and water conservation district to conduct education and training programs;

(e) sixty-five thousand dollars (\$65,000) for the support of the Canadian river soil and water conservation district;

(f) fourteen thousand seven hundred dollars (\$14,700) for marketing research for the pecan industry;

(g) fifty thousand dollars (\$50,000) for the center for large animal health and food defense;

(h) forty thousand dollars (\$40,000) for economic development and biodiesel algae research in Eddy county;

(i) forty thousand dollars (\$40,000) to market New Mexico-grown produce and food products at trade shows;

(j) seventeen thousand dollars (\$17,000) for the development of a mechanized harvesting solution for chile and genetic engineering;

(k) forty thousand dollars (\$40,000) for an education and leadership program for new and emerging opportunities in agriculture; and

(l) five thousand dollars (\$5,000) to enhance international marketing of New Mexico agricultural products;

18. to the cooperative extension service:

(a) one hundred thirty-five thousand dollars (\$135,000) for tribal cooperative extension centers to provide a base for intercultural youth programs, health-based programs and natural resource and agricultural information services that are currently not available in the targeted New Mexico tribal communities;

(b) twenty-five thousand dollars (\$25,000) for the Bernalillo county extension service;

(c) forty-two thousand four hundred dollars (\$42,400) to support the 4-H youth development program statewide;

(d) four thousand dollars (\$4,000) for 4-H operations and outreach programs in Chaves and Eddy counties; and

(e) four thousand dollars (\$4,000) to support a future farmers of America outreach program in Chaves county;

19. twenty thousand dollars (\$20,000) for a task force to examine the economic benefit of providing a personal income tax exemption on retainer pay made to retired military service personnel;

20. for the Alamogordo branch, sixteen thousand five hundred dollars (\$16,500) for professional development training to early childhood education providers in Otero and Lincoln counties;

21. to the Carlsbad branch, seventy-five thousand dollars (\$75,000) for the manufacturing sector development program to provide work force and vocational training;

22. for the Dona Ana branch, twenty thousand dollars (\$20,000) for a dental hygienist program; and

23. to the Grants branch, fifty thousand dollars (\$50,000) to increase the number of underrepresented minority students entering health profession programs.

Chapter 6 Section 37 Laws 2008

Section 37. NEW MEXICO HIGHLANDS UNIVERSITY PROJECTS.-- The following amounts are appropriated from the general fund to the board of regents of New Mexico highlands university for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. fifty thousand dollars (\$50,000) for the men's wrestling program;
2. six thousand seven hundred dollars (\$6,700) for an educational outreach program with the university athletics support group;
3. fifteen thousand dollars (\$15,000) to support a pilot project to pay tuition expenses for teachers who tutor students in the West Las Vegas and Las Vegas city public school districts;
4. ten thousand dollars (\$10,000) to support the community custody clinical treatment program at the school of social work; and
5. one hundred thousand dollars (\$100,000) to prepare students for medical school or other health-related careers.

Chapter 6 Section 38 Laws 2008

Section 38. WESTERN NEW MEXICO UNIVERSITY PROJECTS.-- The following amounts are appropriated from the general fund to the board of regents of western New Mexico university for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. sixty-five thousand dollars (\$65,000) to expand the nursing program;
2. fifteen thousand dollars (\$15,000) for the Chicano y Chicana institute program;
3. six thousand dollars (\$6,000) for instructional television needs; and
4. eighty-five thousand dollars (\$85,000) to maintain and expand the internet-based criminal justice program.

Chapter 6 Section 39 Laws 2008

Section 39. EASTERN NEW MEXICO UNIVERSITY PROJECTS.-- The following amounts are appropriated from the general fund to the board of regents of eastern New Mexico university for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. eighty thousand dollars (\$80,000) for operating expenses of educational television KENW;

2. forty-five thousand dollars (\$45,000) for the public television digital conversion project;

3. twenty thousand dollars (\$20,000) to expand child care services for students and staff;

4. twenty thousand dollars (\$20,000) to create a small-museum certification program;

5. one hundred ninety-one thousand eight hundred dollars (\$191,800) for the English as a second language institute;

6. one hundred forty thousand dollars (\$140,000) for intercollegiate athletics; provided that at least seventy thousand dollars (\$70,000) of this appropriation shall be used to provide athletic scholarships; and

7. for the Roswell branch:

(a) fifty thousand dollars (\$50,000) to provide counseling and other services for students enrolled in the special services program; and

(b) forty-six thousand seven hundred dollars (\$46,700) to the dental services program for supplies necessary to provide dental services for low-income children and adults who have no other source for dental care.

Chapter 6 Section 40 Laws 2008

Section 40. NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY PROJECTS.--The following amounts are appropriated from the general fund to the board of regents of New Mexico institute of mining and technology for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. one hundred fifty-five thousand dollars (\$155,000) for the small business innovation research outreach program;
2. thirty thousand dollars (\$30,000) to expand the institute for complex additive systems analysis;
3. for the bureau of geology and mineral resources:
 - (a) twenty-five thousand dollars (\$25,000) for publication expenses;
 - (b) fifteen thousand dollars (\$15,000) to conduct statewide aquifer mapping and characterization; and
 - (c) twenty thousand dollars (\$20,000) to conduct the decision-makers field conference;
4. forty thousand dollars (\$40,000) for the science fair;
5. fifty thousand dollars (\$50,000) for student outreach for science and engineering;
6. sixty-five thousand dollars (\$65,000) to engage high school students in a summer science program; and
7. twenty-eight thousand dollars (\$28,000) for a statewide program to provide training on supercomputers for middle and high school students.

Chapter 6 Section 41 Laws 2008

Section 41. NORTHERN NEW MEXICO STATE SCHOOL PROJECTS.--The following amounts are appropriated from the general fund to the board of regents of northern New Mexico state school for expenditure in fiscal year 2009 for the purposes specified and, unless otherwise indicated, any unexpended or unencumbered balance of the appropriations remaining at the end of fiscal year 2009 shall revert to the general fund:

1. twenty-six thousand seven hundred dollars (\$26,700) for the northern youth sports program;
2. fifty thousand dollars (\$50,000) for a math and science academy to train teachers to improve their skills, technical knowledge and teaching techniques in science, mathematics and technology; and
3. one hundred thirty-four thousand dollars (\$134,000) for decontamination training of volunteer and full-time firefighters, law enforcement

personnel and other emergency responders to prepare for a hazardous material, radioactive or terrorism event.

Chapter 6 Section 42 Laws 2008

Section 42. NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED PROJECT.--Ten thousand dollars (\$10,000) is appropriated from the general fund to the board of regents of the New Mexico school for the blind and visually impaired for expenditure in fiscal year 2009 for the low-vision clinic program. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 6 Section 43 Laws 2008

Section 43. ADDITIONAL COMPENSATION AUTHORIZED.--In addition to the compensation appropriations in the General Appropriation Act of 2008, for incumbent employees subject to the coverage of the Personnel Act an additional average salary increase of one-half percent is authorized on July 1, 2008, based on employee job performance, as determined by the personnel board. Each agency shall use cash balances, vacancy savings and other available funds to provide the salary increase, provided that, for those agencies that demonstrate that they do not have any available funds for the salary increase, upon review [~~by the legislative finance committee~~] and approval of the state board of finance:*LINE- ITEM VETO*

A. the department of finance and administration may expend up to five hundred thousand dollars (\$500,000) of the appropriation contingency fund for distributions to the appropriate agencies for employees whose salaries are derived from the general fund;

B. the department of finance and administration may transfer from the appropriate fund to the appropriate agency the amount required for employees whose salaries are derived from nongeneral fund appropriations; and

C. the amounts distributed pursuant to Subsection A or B of this section are appropriated for the purpose of providing the salary increase and any unexpended balances remaining at the end of fiscal year 2009 shall revert to the appropriate fund.

SFC/Senate Bill 165, as amended, partial veto

Approved February 13, 2008

LAWS 2008, CHAPTER 7

AN ACT

RELATING TO DOMESTIC VIOLENCE; CHANGING THE NAME OF THE DOMESTIC VIOLENCE OFFENDER TREATMENT FUND TO THE DOMESTIC VIOLENCE OFFENDER TREATMENT OR INTERVENTION FUND; ALLOWING REFERRALS TO AND VOLUNTARY PARTICIPATION IN DOMESTIC VIOLENCE OFFENDER PROGRAMS; AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

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

Chapter 7 Section 1 Laws 2008

Section 1. Section 31-12-11 NMSA 1978 (being Laws 2003, Chapter 387, Section 1) is amended to read:

"31-12-11. COURT FEES--DEPOSIT IN THE DOMESTIC VIOLENCE OFFENDER TREATMENT OR INTERVENTION FUND.--

A. In addition to any other fees collected in the district court, metropolitan court and magistrate court, those courts shall assess and collect from a person convicted of a penalty assessment misdemeanor, traffic violation, petty misdemeanor, misdemeanor or felony offense a "domestic violence offender treatment fee" of five dollars (\$5.00).

B. Domestic violence offender treatment fees shall be deposited in the domestic violence offender treatment or intervention fund."

Chapter 7 Section 2 Laws 2008

Section 2. Section 31-12-12 NMSA 1978 (being Laws 2003, Chapter 387, Section 2) is amended to read:

"31-12-12. DOMESTIC VIOLENCE OFFENDER TREATMENT OR INTERVENTION FUND CREATED--APPROPRIATION--PROGRAM REQUIREMENTS.--

A. The "domestic violence offender treatment or intervention fund" is created in the state treasury. All fees collected pursuant to the provisions of Section 31-12-11 NMSA 1978 shall be transmitted monthly to the department of finance and administration for credit to the domestic violence offender treatment or intervention fund.

B. Balances in the domestic violence offender treatment or intervention fund are appropriated to the children, youth and families department to provide funds to domestic violence offender treatment or intervention programs to defray the cost of

providing treatment or intervention to domestic violence offenders. Unexpended or unencumbered balances remaining in the fund at the end of any fiscal year shall not revert to the general fund.

C. Payment out of the domestic violence offender treatment or intervention fund shall be made on vouchers issued and signed by the secretary of children, youth and families upon warrants drawn by the department of finance and administration.

D. In order to be eligible for money from the domestic violence offender treatment or intervention fund, a domestic violence offender treatment or intervention program shall include the following components in its program:

(1) an initial assessment to determine if a domestic violence offender will benefit from participation in the program;

(2) a written contract, which must be signed by the domestic violence offender, that sets forth:

(a) attendance and participation requirements;

(b) consequences for failure to attend or participate in the program; and

(c) a confidentiality clause that prohibits disclosure of information revealed during treatment or intervention sessions;

(3) strategies to hold domestic violence offenders accountable for their violent behavior;

(4) a requirement that group discussions are limited to members of the same gender;

(5) an education component that:

(a) defines physical, emotional, sexual, economic and verbal abuse and techniques for stopping those forms of abuse; and

(b) examines gender roles, socialization, the nature of violence, the dynamics of power and control and the effects of domestic violence on children;

(6) a requirement that a domestic violence offender not be under the influence of alcohol or drugs during a treatment or intervention session;

(7) a requirement, except with respect to a domestic violence offender who is a voluntary participant in the program, that the program provide monthly

written reports to the presiding judge or the domestic violence offender's probation or parole officer regarding:

(a) proof of the domestic violence offender's enrollment in the program;

(b) progress reports that address the domestic violence offender's attendance, fee payments and compliance with other program requirements; and

(c) evaluations of progress made by the domestic violence offender and recommendations as to whether or not to require the offender's further participation in the program; and

(8) a requirement that the term of the program be at least fifty-two weeks.

E. Counseling for couples shall not be a component of a domestic violence offender treatment or intervention program.

F. As used in this section, "domestic violence offender" means a person:

(1) convicted for an offense pursuant to the provisions of the Crimes Against Household Members Act;

(2) convicted for violating an order of protection granted by a court pursuant to the provisions of the Family Violence Protection Act;

(3) referred to a domestic violence offender treatment or intervention program by a judge, a domestic violence special commissioner or the parole board; or

(4) who voluntarily participates in a domestic violence offender treatment or intervention program."

Chapter 7 Section 3 Laws 2008

Section 3. TEMPORARY PROVISION--TRANSFER OF FUNDS.--All money, fees, appropriations, gifts, grants and donations in the domestic violence offender treatment fund are transferred to the domestic violence offender treatment or intervention fund.

Chapter 7 Section 4 Laws 2008

Section 4. REPEAL.--Sections 34-15-1 and 34-15-2 NMSA 1978 (being Laws 2003, Chapter 94, Sections 1 and 2) are repealed.

Chapter 7 Section 5 Laws 2008

Section 5. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

House Bill 33, as amended

Approved February 22, 2008

LAWS 2008, CHAPTER 8

AN ACT

RELATING TO PROBATE; AMENDING THE DEFINITION OF "SECURITY ACCOUNT" IN THE UNIFORM PROBATE CODE.

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

Chapter 8 Section 1 Laws 2008

Section 1. Section 45-6-301 NMSA 1978 (being Laws 1992, Chapter 66, Section 37) is amended to read:

"45-6-301. DEFINITIONS.--As used in Sections 45-6-301 through 45-6-311 NMSA 1978:

A. "beneficiary form" means a registration of a security that indicates the present owner of the security and the intention of the owner regarding the person who will become the owner of the security upon the death of the owner;

B. "register", including its derivatives, means to issue a certificate showing the ownership of a certificated security or, in the case of an uncertificated security, to initiate or transfer an account showing ownership of securities;

C. "registering entity" means a person who originates or transfers a security title by registration, and includes a broker maintaining security accounts for customers and a transfer agent or other person acting for or as an issuer of securities;

D. "security" means a share, participation or other interest in property, in a business or in an obligation of an enterprise or other issuer, and includes a certificated security, an uncertificated security and a security account; and

E. "security account" means:

(1) a reinvestment account associated with a security, a securities account with a broker, a cash balance in a brokerage account, cash, interest, earnings or dividends earned or declared on a security in an account, a reinvestment account or a brokerage account, whether or not credited to the account before the owner's death;

(2) a cash balance or other property held for or due to the owner of a security as a replacement for or product of an account security, whether or not credited to the account before the owner's death; or

(3) a natural person's investment, management or custody account with a trust company or bank with trust powers, including securities in the account, a cash balance in the account and cash, cash equivalents, interest, earnings or dividends earned or declared on a security in the account, whether or not credited to the account before the owner's death. Nothing in this paragraph affects interests in real property."

House Bill 54

Approved February 22, 2008

LAWS 2008, CHAPTER 9

AN ACT

RELATING TO HEALTH CARE; UPDATING CERTAIN SECTIONS OF LAW TO INCLUDE A PHYSICIAN ASSISTANT.

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

Chapter 9 Section 1 Laws 2008

Section 1. Section 24-27-1 NMSA 1978 (being Laws 2005, Chapter 43, Section 1) is amended to read:

"24-27-1. SHORT TITLE.--Chapter 24, Article 27 NMSA 1978 may be cited as the "Umbilical Cord Blood Banking Act"."

Chapter 9 Section 2 Laws 2008

Section 2. Section 24-27-3 NMSA 1978 (being Laws 2005, Chapter 43, Section 3) is amended to read:

"24-27-3. DEFINITIONS.--As used in the Umbilical Cord Blood Banking Act:

A. "health care facility" means an institution providing health care services, including a hospital, clinic or other inpatient center, outpatient facility or diagnostic or treatment center, that is licensed by the department of health;

B. "health care provider" means a person who is licensed, certified or otherwise authorized by law to provide or render health care services to pregnant women in New Mexico in the ordinary course of business or practice of a profession, but is limited to a medical physician, osteopathic physician, doctor of oriental medicine, physician assistant, certified nurse practitioner and certified nurse- midwife; and

C. "umbilical cord blood" means the blood that remains in the umbilical cord and placenta after the birth of a newborn child."

Chapter 9 Section 3 Laws 2008

Section 3. Section 26-1-2 NMSA 1978 (being Laws 1967, Chapter 23, Section 2, as amended) is amended to read:

"26-1-2. DEFINITIONS.--As used in the New Mexico Drug, Device and Cosmetic Act:

A. "board" means the board of pharmacy or its duly authorized agent;

B. "person" includes an individual, partnership, corporation, association, institution or establishment;

C. "biological product" means a virus, therapeutic serum, toxin, antitoxin or analogous product applicable to the prevention, treatment or cure of diseases or injuries of humans and domestic animals and, as used within the meaning of this definition:

(1) a "virus" is interpreted to be a product containing the minute living cause of an infectious disease and includes filterable viruses, bacteria, rickettsia, fungi and protozoa;

(2) a "therapeutic serum" is a product obtained from blood by removing the clot or clot components and the blood cells;

(3) a "toxin" is a product containing a soluble substance poisonous to laboratory animals or humans in doses of one milliliter or less of the product and having the property, following the injection of nonfatal doses into an animal, or causing to be produced therein another soluble substance that specifically neutralizes the poisonous substance and that is demonstrable in the serum of the animal thus immunized; and

(4) an "antitoxin" is a product containing the soluble substance in serum or other body fluid of an immunized animal that specifically neutralizes the toxin against which the animal is immune;

D. "controlled substance" means a drug, substance or immediate precursor enumerated in Schedules I through V of the Controlled Substances Act;

E. "drug" means articles:

(1) recognized in an official compendium;

(2) intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals and includes the domestic animal biological products regulated under the federal Virus-Serum-Toxin Act, 37 Stat 832-833, 21 U.S.C. 151-158, and the biological products applicable to humans regulated under Federal 58 Stat 690, as amended, 42 U.S.C. 216, Section 351, 58 Stat 702, as amended, and 42 U.S.C. 262;

(3) other than food that affect the structure or any function of the human body or the bodies of other animals; and

(4) intended for use as a component of Paragraph (1), (2) or (3) of this subsection, but does not include devices or their component parts or accessories;

F. "dangerous drug" means a drug, other than a controlled substance enumerated in Schedule I of the Controlled Substances Act, that because of a potentiality for harmful effect or the method of its use or the collateral measures necessary to its use is not safe except under the supervision of a practitioner licensed by law to direct the use of such drug and hence for which adequate directions for use cannot be prepared. "Adequate directions for use" means directions under which the layperson can use a drug or device safely and for the purposes for which it is intended. A drug shall be dispensed only upon the prescription of a practitioner licensed by law to administer or prescribe the drug if it:

(1) is a habit-forming drug and contains any quantity of a narcotic or hypnotic substance or a chemical derivative of such substance that has been found under the federal act and the board to be habit forming;

(2) because of its toxicity or other potential for harmful effect or the method of its use or the collateral measures necessary to its use is not safe for use except under the supervision of a practitioner licensed by law to administer or prescribe the drug;

(3) is limited by an approved application by Section 505 of the federal act to the use under the professional supervision of a practitioner licensed by law to administer or prescribe the drug;

(4) bears the legend: "Caution: federal law prohibits dispensing without prescription.";

(5) bears the legend: "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian."; or

(6) bears the legend "RX only";

G. "counterfeit drug" means a drug that is deliberately and fraudulently mislabeled with respect to its identity, ingredients or sources. Types of such pharmaceutical counterfeits may include:

(1) "identical copies", which are counterfeits made with the same ingredients, formulas and packaging as the originals but not made by the original manufacturer;

(2) "look-alikes", which are products that feature high-quality packaging and convincing appearances but contain little or no active ingredients and may contain harmful substances;

(3) "rejects", which are drugs that have been rejected by the manufacturer for not meeting quality standards; and

(4) "relabels", which are drugs that have passed their expiration dates or have been distributed by unauthorized foreign sources and may include placebos created for late-phase clinical trials;

H. "device", except when used in Subsection P of this section and in Subsection G of Section 26-1-3, Subsection L and Paragraph (4) of Subsection A of Section 26- 1-11 and Subsection C of Section 26-1-24 NMSA 1978, means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent or other similar or related article, including any component, part or accessory, that is:

(1) recognized in an official compendium;

(2) intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease in humans or other animals; or

(3) intended to affect the structure or a function of the human body or the bodies of other animals and that does not achieve any of its principal intended purposes through chemical action within or on the human body or the bodies of other animals and that is not dependent on being metabolized for achievement of any of its principal intended purposes;

I. "prescription" means an order given individually for the person for whom prescribed, either directly from a licensed practitioner or the practitioner's agent to the pharmacist, including by means of electronic transmission, or indirectly by means of a written order signed by the prescriber, and bearing the name and address of the prescriber, the prescriber's license classification, the name and address of the patient, the name and quantity of the drug prescribed, directions for use and the date of issue;

J. "practitioner" means a physician, doctor of oriental medicine, dentist, veterinarian, certified nurse practitioner, clinical nurse specialist, pharmacist, pharmacist clinician, certified nurse-midwife, physician assistant, prescribing psychologist or other person licensed or certified to prescribe and administer drugs that are subject to the New Mexico Drug, Device and Cosmetic Act;

K. "cosmetic" means:

(1) articles intended to be rubbed, poured, sprinkled or sprayed on, introduced into or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness or altering the appearance; and

(2) articles intended for use as a component of any articles enumerated in Paragraph (1) of this subsection, except that the term shall not include soap;

L. "official compendium" means the official United States pharmacopoeia national formulary or the official homeopathic pharmacopoeia of the United States or any supplement to either of them;

M. "label" means a display of written, printed or graphic matter upon the immediate container of an article. A requirement made by or under the authority of the New Mexico Drug, Device and Cosmetic Act that any word, statement or other information appear on the label shall not be considered to be complied with unless the word, statement or other information also appears on the outside container or wrapper, if any, of the retail package of the article or is easily legible through the outside container or wrapper;

N. "immediate container" does not include package liners;

O. "labeling" means all labels and other written, printed or graphic matter:

(1) on an article or its containers or wrappers; or

(2) accompanying an article;

P. "misbranded" means a label to an article that is misleading. In determining whether the label is misleading, there shall be taken into account, among other things, not only representations made or suggested by statement, word, design,

device or any combination of the foregoing, but also the extent to which the label fails to reveal facts material in the light of such representations or material with respect to consequences that may result from the use of the article to which the label relates under the conditions of use prescribed in the label or under such conditions of use as are customary or usual;

Q. "advertisement" means all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or that are likely to induce, directly or indirectly, the purchase of drugs, devices or cosmetics;

R. "antiseptic", when used in the labeling or advertisement of an antiseptic, shall be considered to be a representation that it is a germicide, except in the case of a drug purporting to be or represented as an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder or such other use as involves prolonged contact with the body;

S. "new drug" means a drug:

(1) the composition of which is such that the drug is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety and efficacy of drugs, as safe and effective for use under the conditions prescribed, recommended or suggested in the labeling thereof; or

(2) the composition of which is such that the drug, as a result of investigation to determine its safety and efficacy for use under such conditions, has become so recognized, but that has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions;

T. "contaminated with filth" applies to a drug, device or cosmetic not securely protected from dirt, dust and, as far as may be necessary by all reasonable means, from all foreign or injurious contaminations, or a drug, device or cosmetic found to contain dirt, dust, foreign or injurious contamination or infestation;

U. "selling of drugs, devices or cosmetics" shall be considered to include the manufacture, production, processing, packing, exposure, offer, possession and holding of any such article for sale and the sale and the supplying or applying of any such article in the conduct of a drug or cosmetic establishment;

V. "color additive" means a material that:

(1) is a dye, pigment or other substance made by a process of synthesis or similar artifice or extracted, isolated or otherwise derived, with or without intermediate or final change of identity, from a vegetable, mineral, animal or other source; or

(2) when added or applied to a drug or cosmetic or to the human body or a part thereof, is capable, alone or through reaction with other substances, of imparting color thereto; except that such term does not include any material that has been or hereafter is exempted under the federal act;

W. "federal act" means the Federal Food, Drug and Cosmetic Act;

X. "restricted device" means a device for which the sale, distribution or use is lawful only upon the written or oral authorization of a practitioner licensed by law to administer, prescribe or use the device and for which the federal food and drug administration requires special training or skills of the practitioner to use or prescribe. This definition does not include custom devices defined in the federal act and exempt from performance standards or premarket approval requirements under Section 520(b) of the federal act;

Y. "prescription device" means a device that, because of its potential for harm, the method of its use or the collateral measures necessary to its use, is not safe except under the supervision of a practitioner licensed in this state to direct the use of such device and for which "adequate directions for use" cannot be prepared, but that bears the label: "Caution: federal law restricts this device to sale by or on the order of a _____", the blank to be filled with the word "physician", "physician assistant", "doctor of oriental medicine", "dentist", "veterinarian", "certified nurse practitioner", "clinical nurse specialist", "pharmacist", "pharmacist clinician" or "certified nurse-midwife" or with the descriptive designation of any other practitioner licensed in this state to use or order the use of the device;

Z. "valid practitioner-patient relationship" means a professional relationship, as defined by the practitioner's licensing board, between the practitioner and the patient; and

AA. "pedigree" means the recorded history of a drug."

Chapter 9 Section 4 Laws 2008

Section 4. Section 45-5-101 NMSA 1978 (being Laws 1975, Chapter 257, Section 5-101, as amended) is amended to read:

"45-5-101. DEFINITIONS AND USE OF TERMS.--Unless otherwise apparent from the context, in Chapter 45, Article 5 NMSA 1978:

A. "conservator" is as defined in Section 45-1-201 NMSA 1978;

B. "court" means the district court or the children's or family division of the district court where such jurisdiction is conferred by the Children's Code;

C. "functional impairment" means an impairment that is measured by a person's inability to manage the person's personal care or the person's inability to manage the person's estate or financial affairs or both;

D. "guardian" is as defined in Section 45-1-201 NMSA 1978;

E. "guardian ad litem" is as defined in Section
45-1-201 NMSA 1978;

F. "incapacitated person" means any person who demonstrates over time either partial or complete functional impairment by reason of mental illness, mental deficiency, physical illness or disability, chronic use of drugs, chronic intoxication or other cause, except minority, to the extent that the person is unable to manage the person's personal affairs or the person is unable to manage the person's estate or financial affairs or both;

G. "inability to manage the person's personal care" means the inability, as evidenced by recent behavior, to meet one's needs for medical care, nutrition, clothing, shelter, hygiene or safety so that physical injury, illness or disease has occurred or is likely to occur in the near future;

H. "inability to manage the person's estate or financial affairs or both" means gross mismanagement, as evidenced by recent behavior, of one's income and resources or medical inability to manage one's income and resources that has led or is likely in the near future to lead to financial vulnerability;

I. "interested person" means any person who has an interest in the welfare of the person to be protected under this article;

J. "least restrictive form of intervention" means that the guardianship or conservatorship imposed on the incapacitated person or minor ward represents only those limitations necessary to provide the needed care and rehabilitative services and that the incapacitated person or minor ward shall enjoy the greatest amount of personal freedom and civil liberties;

K. "letters" is as defined in Section 45-1-201 NMSA 1978;

L. "limited conservator" means any person who is qualified to manage the estate and financial affairs of an incapacitated person pursuant to a court appointment in a limited conservatorship;

M. "limited conservatorship" means that an incapacitated person is subject to a conservator's exercise of some but not all of the powers enumerated in Sections
45-5-424 and 45-5-425 NMSA 1978;

N. "limited guardian" means any person who is qualified to manage the care, custody and control of an incapacitated person pursuant to a court appointment of a limited guardianship;

O. "limited guardianship" means that an incapacitated person is subject to a guardian's exercise of some but not all of the powers enumerated in Section 45-5-312 NMSA 1978;

P. "minor" is as defined in Section 45-1-201 NMSA 1978;

Q. "minor ward" means a minor for whom a guardian or conservator has been appointed solely because of minority;

R. "protective proceeding" means a conservatorship proceeding under Section 45-5-401 NMSA 1978;

S. "protected person" means a minor or other person for whom a conservator has been appointed or other protective order has been made;

T. "qualified health care professional" means a physician, psychologist, physician assistant, nurse practitioner or other health care practitioner whose training and expertise aid in the assessment of functional impairment;

U. "ward" means a person for whom a guardian has been appointed; and

V. "visitor" means a person who is an appointee of the court who has no personal interest in the proceeding and who has been trained or has the expertise to appropriately evaluate the needs of the person who is allegedly incapacitated. A "visitor" may include, but is not limited to, a psychologist, social worker, developmental incapacity professional, physical and occupational therapist, an educator and a rehabilitation worker."

Chapter 9 Section 5 Laws 2008

Section 5. Section 59A-22-32 NMSA 1978 (being Laws 1984, Chapter 127, Section 454, as amended) is amended to read:

"59A-22-32. FREEDOM OF CHOICE OF HOSPITAL AND PRACTITIONER.--

A. Within the area and limits of coverage offered an insured and selected by the insured in the application for insurance, the right of a person to exercise full freedom of choice in the selection of a hospital for hospital care or of a practitioner of the healing arts or optometrist, psychologist, podiatrist, physician assistant, certified nurse-midwife, registered lay midwife or registered nurse in expanded practice, as defined in Subsection B of this section, for treatment of an illness or injury within that person's scope of practice shall not be restricted under any new policy of health

insurance, contract or health care plan issued after June 30, 1967 in this state or in the processing of a claim thereunder. A person insured or claiming benefits under any such health insurance policy, contract or health care plan providing within its coverage for payment of service benefits or indemnity for hospital care or treatment of persons for the cure or correction of any physical or mental condition shall be deemed to have complied with the requirements of the policy, contract or health care plan as to submission of proof of loss upon submitting written proof supported by the certificate of any hospital currently licensed by the department of health or any practitioner of the healing arts or optometrist, psychologist, podiatrist, physician assistant, certified nurse-midwife, registered lay midwife or registered nurse in expanded practice.

B. As used in this section:

(1) "hospital care" means hospital service provided through a hospital that is maintained by the state or a political subdivision of the state or a place that is currently licensed as a hospital by the department of health and has accommodations for resident bed patients, a licensed professional registered nurse always on duty or call, a laboratory and an operating room where surgical operations are performed, but "hospital care" does not include a convalescent or nursing or rest home;

(2) "practitioner of the healing arts" means a person holding a license or certificate authorizing the licensee to offer or undertake to diagnose, treat, operate on or prescribe for any human pain, injury, disease, deformity or physical or mental condition pursuant to:

(a) the Chiropractic Physician Practice Act;

(b) the Dental Health Care Act;

(c) the Medical Practice Act;

(d) Chapter 61, Article 10 NMSA 1978; and

(e) the Acupuncture and Oriental Medicine Practice Act;

(3) "optometrist" means a person holding a license provided for in the Optometry Act;

(4) "podiatrist" means a person holding a license provided for in the Podiatry Act;

(5) "psychologist" means a person who is duly licensed or certified in the state where the service is rendered and has a doctoral degree in psychology and has had at least two years of clinical experience in a recognized health setting or has met the standards of the national register of health service providers in psychology;

(6) "physician assistant" means a person who is licensed by the New Mexico medical board to practice as a physician assistant and who provides services to patients under the supervision and direction of a licensed physician;

(7) "certified nurse-midwife" means a person licensed by the board of nursing as a registered nurse and who is registered with the public health division of the department of health as a certified nurse-midwife;

(8) "registered lay midwife" means a person who practices lay midwifery and is registered as a registered lay midwife by the public health division of the department of health; and

(9) "registered nurse in expanded practice" means a person licensed by the board of nursing as a registered nurse approved for expanded practice pursuant to the Nursing Practice Act as a certified nurse practitioner, certified registered nurse anesthetist, certified clinical nurse specialist in psychiatric mental health nursing or clinical nurse specialist in private practice and who has a master's degree or doctorate in a defined clinical nursing speciality and is certified by a national nursing organization.

C. This section shall apply to any such policy that is delivered or issued for delivery in this state on or after July 1, 1979 and to any existing group policy or plan on its anniversary or renewal date after June 30, 1979 or at expiration of the applicable collective bargaining contract, if any, whichever is later."

Chapter 9 Section 6 Laws 2008

Section 6. Section 59A-47-28.3 NMSA 1978 (being Laws 1998, Chapter 39, Section 2) is amended to read:

"59A-47-28.3. PROVIDER DISCRIMINATION PROHIBITED.--All individual and group subscriber contracts delivered or issued for delivery in New Mexico that, on a prepaid, service or indemnity basis, or all of them, provide for treatment of persons for the prevention, cure or correction of an illness or physical or mental condition shall include coverage for the services of a physician assistant and a certified nurse practitioner. Deductibles, limits of coverage or other terms and conditions of coverage for certified nurse practitioners and physician assistants shall not differ substantially from coverage for the same or similar services provided by other practitioners. Nothing in this section shall restrict a health care plan from including in the terms of its coverage any benefit differences based on differences in the scope of practice of health care practitioners."

Approved February 22, 2008

LAWS 2008, CHAPTER 10

AN ACT

RELATING TO LAW ENFORCEMENT; PROVIDING THAT CERTAIN VICTIMS OF SEXUAL OFFENSES ARE NOT REQUIRED TO SUBMIT TO A POLYGRAPH EXAMINATION OR OTHER TRUTH-TELLING DEVICE AS A CONDITION FOR INVESTIGATION, CHARGING OR PROSECUTION OF THE OFFENSE.

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

Chapter 10 Section 1 Laws 2008

Section 1. A new section of Chapter 30, Article 9 NMSA 1978 is enacted to read:

"VICTIMS--POLYGRAPH EXAMINATIONS--PROHIBITED ACTIONS.--A law enforcement officer, prosecuting attorney or other government official shall not ask or require an adult, youth or child victim of a sexual offense provided in Sections

30-9-11 through 30-9-13 NMSA 1978 to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation, charging or prosecution of the offense. The victim's refusal to submit to a polygraph examination or other truth-telling device shall not prevent the investigation, charging or prosecution of the offense."

Chapter 10 Section 2 Laws 2008

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

House Bill 337, as amended

Approved February 22, 2008

LAWS 2008, CHAPTER 11

AN ACT

RELATING TO TAXATION; PROVIDING ALTERNATE CONTINGENT EFFECTIVE DATES FOR THE PROVISIONS EXEMPTING LOCOMOTIVE FUEL FROM GROSS RECEIPTS AND COMPENSATING TAXES.

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

Chapter 11 Section 1 Laws 2008

Section 1. Laws 2007, Chapter 172, Section 29 is amended to read:

"Section 29. CONTINGENT EFFECTIVE DATE--NOTIFICATION.--

A. The effective date of the provisions of Sections 12 and 13 of this act is July 1, 2009, provided that prior to January 1, 2009, the economic development department certifies to the taxation and revenue department that construction of a railroad locomotive refueling facility project in Dona Ana county has commenced, including land acquisition, acquisition of all necessary permits and commencement of actual construction. The taxation and revenue department shall notify the New Mexico compilation commission and the director of the legislative council service prior to July 1, 2009 as to whether the certification from the economic development department has been received.

B. If the requirements of Subsection A of this section are not fulfilled, the effective date of the provisions of Sections 12 and 13 of this act shall be July 1, 2010, provided that prior to January 1, 2010, the economic development department certifies to the taxation and revenue department that construction of a railroad locomotive refueling facility project in Dona Ana county has commenced, including land acquisition, acquisition of all necessary permits and commencement of actual construction. The taxation and revenue department shall notify the New Mexico compilation commission and the director of the legislative council service prior to July 1, 2010 as to whether the certification from the economic development department has been received."

House Bill 387

Approved February 22, 2008

LAWS 2008, CHAPTER 12

AN ACT

RELATING TO MINING; AMENDING A SECTION OF THE MINING SAFETY ACT TO PROVIDE FOR SELF-CONTAINED SELF-RESCUE DEVICES IN COAL MINES.

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

Chapter 12 Section 1 Laws 2008

Section 1. Section 69-8-16 NMSA 1978 (being Laws 2006, Chapter 102, Section 4 and Laws 2006, Chapter 106, Section 4) is amended to read:

"69-8-16. UNDERGROUND MINE SAFETY REQUIREMENTS-- PENALTIES.--In addition to requirements pursuant to federal law for underground mines:

A. a self-contained self-rescue device approved by the state mine inspector shall be worn by each person while underground in a coal mine or kept within the person's immediate reach while underground in a coal mine. The device shall be provided by the employer. The self-contained self-rescue device shall be adequate to protect a miner for one hour or longer or, alternatively, sufficient to allow the employee time to reach an additional self-contained self-rescue device. Each employer shall train each miner in the use of the device, and refresher training courses for all underground employees shall be held during each calendar year;

B. the employer shall provide caches of self-contained self-rescue devices throughout any underground mine in accordance with a plan approved by the state mine inspector. Each self-contained self-rescue device shall be adequate to protect a miner for one hour or longer. Battery-powered strobe lights or permanently activated strobe lights shall be affixed to each cache. A luminescent sign with the words "SELF-CONTAINED SELF-RESCUER" or "SELF-CONTAINED SELF-RESCUERS" shall be conspicuously posted at each cache, and luminescent direction signs shall be posted leading to each cache. The employer shall conduct weekly inspections of each cache and the affixed strobe lights to ensure operability;

C. a wireless emergency communication device or a two-way radio system approved by the state mine inspector and provided by the employer shall be available to each person in the active working section of an underground mine. Each employer shall train each miner in the use of the device and provide refresher training courses for all underground employees during each calendar year. The employer shall install in or around the mine any and all equipment necessary to transmit emergency communications from the surface to each wireless emergency communication device or two-way radio system in active working sections of the underground mine;

D. a wireless tracking device approved by the state mine inspector and provided by the employer shall be worn by each person in an underground coal mine. In the event of an accident or other emergency, the tracking device shall be capable of providing the approximate physical location of each person who is underground. Each employer shall train each employee in the use of the device and provide refresher training courses for all underground employees during each calendar year. The employer shall install in or around the mine all equipment necessary to provide the approximate physical location of each person who is underground;

E. a person who, without the authorization of the employer or the state mine inspector, knowingly removes or attempts to remove any device or related equipment, required by this section and approved by the inspector, from a mine or mine site with the intent to permanently deprive the employer of the device or equipment or knowingly tampers with

or attempts to tamper with the device or equipment shall be guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978; and

F. the state mine inspector shall, within ninety days of the effective date of this section, approve an implementation plan for each mine covered by this section that includes a schedule for meeting the requirements of this section."

House Bill 399, as amended

Approved February 22, 2008

LAWS 2008, CHAPTER 13

AN ACT

RELATING TO TAXATION; CORRECTING THE DISTRIBUTION OF OPTIONAL TAX REFUND CONTRIBUTIONS BY TAXPAYERS FOR SUPPORT OF NATIONAL GUARD MEMBERS AND FAMILIES; DECLARING AN EMERGENCY.

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

Chapter 13 Section 1 Laws 2008

Section 1. Section 7-1-6.50 NMSA 1978 (being Laws 2005, Chapter 220, Section 1) is amended to read:

"7-1-6.50. DISTRIBUTION--CONTRIBUTIONS FOR NATIONAL GUARD MEMBER AND FAMILY ASSISTANCE.--A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the department of military affairs in an amount equal to the money designated pursuant to the Income Tax Act as contributions for assistance to members of the New Mexico national guard activated for service in the global war on terrorism and to their families. The department of military affairs shall deposit the money in a temporary suspense account for distribution to members of the New Mexico national guard activated for service in the global war on terrorism and to their families."

Chapter 13 Section 2 Laws 2008

Section 2. TEMPORARY PROVISION.--All money in the temporary suspense account of the secretary of veterans' services attributable to contributions for national guard member and family assistance pursuant to Section 7-2-30.3 NMSA 1978 shall be transferred to the department of military affairs for deposit in a temporary suspense account and distribution pursuant to the provisions of Section 7-1-6.50 NMSA 1978.

Chapter 13 Section 3 Laws 2008

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

House Bill 599, with emergency clause

Approved February 22, 2008

LAWS 2008, CHAPTER 14

AN ACT

RELATING TO EDUCATION; INCLUDING STATE-SUPPORTED SCHOOLS IN THE DUAL CREDIT PROGRAM; PROVIDING FOR DUAL CREDIT COURSES TO BE TAKEN IN THE SUMMER TERM.

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

Chapter 14 Section 1 Laws 2008

Section 1. Section 21-1-1.2 NMSA 1978 (being Laws 2007, Chapter 227, Section 1) is amended to read:

"21-1-1.2. DUAL CREDIT FOR HIGH SCHOOL AND
POST-SECONDARY CLASSES.--

A. As used in this section, "dual credit program" means a program that allows high school students to enroll in college-level courses offered by a public post-secondary educational institution that may be academic or

career-technical but not remedial or developmental, and simultaneously to earn credit toward high school graduation and a post-secondary degree or certificate.

B. To be eligible to participate in a dual credit program, the student shall:

(1) except as provided in Subsection C of this section, be enrolled in a regular public school, charter school or state-supported school in one-half or more of the minimum course requirements approved by the public education department for public school students; and

(2) obtain permission from a school counselor, the school principal or head administrator of a charter school or state-supported school prior to enrolling in a dual credit course.

C. A student who has met the eligibility criteria provided for in Subsection B of this section in a fall or winter semester, and who has not graduated or earned a general educational development certificate, may take courses for dual credit during the immediately succeeding summer semester.

D. The school district, charter school or

state-supported school that the student attends shall pay the cost of the required textbooks and other course supplies for the post-secondary course the student is enrolled in through purchase arrangements with the bookstore at the public

post-secondary educational institution or other

cost-efficient methods. The student shall return the textbooks and unused course supplies to the school district when the student completes the course or withdraws from the course.

E. A public post-secondary educational institution that participates in a dual credit program shall waive all general fees for dual credit courses.

F. The higher education department shall revise procedures in the higher education funding formula to address enrollments in dual credit courses and to encourage institutions to waive tuition for high school students taking those courses.

G. The higher education department and the public education department shall adopt and promulgate rules to implement a dual credit program that specify:

(1) post-secondary courses that are eligible for dual credit;

(2) conditions that apply, including:

(a) the required academic standing and conduct of students enrolled in dual credit courses;

(b) the semesters in which dual credit courses may be taken;

(c) the nature of high school credit earned;

(d) any caps on the number of courses, location of courses and provision of transcripts; and

(e) an appeals process for a student who is denied permission to enroll in a dual credit course;

(3) accommodations or other arrangements applicable to special education students;

(4) the contents of the uniform master agreement, developed in collaboration with school districts, charter schools, state-supported schools and the public

post-secondary educational institutions, that govern the roles, responsibilities and liabilities of the school district, charter school or state-supported school; the institution; and the student and the student's family;

(5) provisions for expanding dual credit opportunities through distance learning and other methods;

(6) the means by which public high schools are required to inform students and parents about opportunities to participate in dual credit programs during student advisement, academic support and formulation of annual next step plans, as well as other methods; and

(7) provisions for collecting and disseminating annual data, including:

(a) the number of students taking dual credit courses;

(b) the participating school districts, charter schools, state-supported schools and public

post-secondary educational institutions;

(c) the courses taken and grades earned;

(d) the high school graduation rates for participating school districts, charter schools and state-supported schools;

(e) the public post-secondary educational institutions that participating students ultimately attend; and

(f) the cost of providing dual credit courses.

H. The higher education department and the public education department shall evaluate the dual credit program in terms of its accessibility to students statewide and its effect on:

(1) student achievement in secondary education;

(2) student enrollment and completion of higher education; and

(3) school districts, charter schools, state-supported schools and public post-secondary educational institutions.

I. The departments shall make an annual report, including recommendations, to the governor and the legislature.

J. The provisions of this section do not apply to the New Mexico military institute."

Senate Bill 31

Approved February 22, 2008

LAWS 2008, CHAPTER 15

AN ACT

RELATING TO PUBLIC SCHOOLS; ENACTING THE NEW MEXICO SCHOOL FOR THE ARTS ACT; ALLOWING FOR THE CREATION OF A

STATE-CHARTERED CHARTER SCHOOL AS A STATEWIDE RESIDENTIAL HIGH SCHOOL FOR THE ARTS; EXEMPTING THE SCHOOL FROM CERTAIN PROVISIONS OF THE CHARTER SCHOOLS ACT; ALLOWING THE SCHOOL TO ESTABLISH ADMISSIONS CRITERIA AND ROOM AND BOARD FEES; REQUIRING PRIVATE FUNDING FOR ROOM AND BOARD COSTS AND OUTREACH ACTIVITIES; PROVIDING FOR OUTREACH ACTIVITIES; DECLARING AN EMERGENCY.

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

Chapter 15 Section 1 Laws 2008

Section 1. A new section of the Public School Code is enacted to read:

"SHORT TITLE.--This act may be cited as the "New Mexico School for the Arts Act"."

Chapter 15 Section 2 Laws 2008

Section 2. A new section of the Public School Code is enacted to read:

"PURPOSE OF ACT.--The purpose of the New Mexico School for the Arts Act is to provide for the establishment of the "New Mexico school for the arts" as a statewide residential state-chartered charter high school that provides New Mexico students who have demonstrated artistic abilities and potential with the educational opportunity to pursue a career in the arts."

Chapter 15 Section 3 Laws 2008

Section 3. A new section of the Public School Code is enacted to read:

"DEFINITIONS.--As used in the New Mexico School for the Arts Act:

A. "board" means the governing body of the school; and

B. "school" means the New Mexico school for the arts."

Chapter 15 Section 4 Laws 2008

Section 4. A new section of the Public School Code is enacted to read:

"PURPOSE OF SCHOOL--SCHOOL EXEMPT FROM CERTAIN PROVISIONS OF THE CHARTER SCHOOLS ACT.--

A. The commission may charter a "New Mexico school for the arts" as a statewide residential state-chartered charter school for grades nine through twelve to offer intensive preprofessional instruction in the performing and visual arts combined with a strong academic program that leads to a New Mexico diploma of excellence.

B. The school and the board are subject to all the provisions of the Charter Schools Act, except Subsection K of Section 22-8B-4 NMSA 1978 and Section 22-8B-4.1 NMSA 1978. The school shall not charge tuition, except as otherwise provided in the Public School Code. The school shall be supported by state funds in the same manner as other charter high schools authorized by the commission."

Chapter 15 Section 5 Laws 2008

Section 5. A new section of the Public School Code is enacted to read:

"BOARD CREATED--POWERS AND DUTIES--SOLICITATION OF GIFTS, GRANTS AND DONATIONS.--The school shall be governed by a board of at least five members constituted as provided in the school's application for charter. No member of the board shall serve as a member of another charter school. The board shall have such powers and perform such duties as required by state and federal law and the school's charter, including soliciting and receiving gifts, grants and donations to further

the purposes of the school and to assist the school in providing free or reduced-fee room and board for those residential students who cannot pay all or part of residential costs."

Chapter 15 Section 6 Laws 2008

Section 6. A new section of the Public School Code is enacted to read:

"ADMISSIONS CRITERIA--EQUAL OPPORTUNITY--OUTREACH.--

A. The admissions criteria shall be designed to admit students who show exceptional promise or aptitude in the arts and a strong desire to pursue a career in the arts. The admissions process shall be conducted in a way that provides equal opportunity for admission to each prospective student regardless of that student's exposure to previous artistic training and without regard to the student's ability to pay residential costs.

B. The board shall ensure, to the greatest extent possible and without jeopardizing admissions standards, that an equal number of students is admitted to the school from each of the state's congressional districts.

C. The board shall submit an annual report to the charter schools division and the commission that includes demographic information about both applicants and students admitted to the school, including the counties and the congressional districts represented by the students enrolled and the makeup of the student body in terms of socioeconomic status, gender and ethnicity.

D. The school shall conduct outreach activities throughout the state to acquaint potential students with the programs offered by the school. The outreach activities shall include programs for middle school students and workshops for teachers. There shall be no admissions criteria established for participation in outreach activities."

Chapter 15 Section 7 Laws 2008

Section 7. A new section of the Public School Code is enacted to read:

"ROOM AND BOARD CHARGES.--

A. The school shall charge residential students a fee to cover the costs of room and board. The board shall establish a sliding-fee scale based on the student's ability to pay. The commission shall approve room and board charges and the sliding-fee scale during the planning year of the school and may approve changes to the charges and scale as requested by the board.

B. The school shall report each year to the charter schools division and the commission on the number of students requiring financial assistance for room and

board; the amount of financial assistance provided; and the amount and source of gifts, grants and donations received by the school to provide that financial assistance."

Chapter 15 Section 8 Laws 2008

Section 8. A new section of the Public School Code is enacted to read:

"ROOM AND BOARD COSTS--OUTREACH ACTIVITIES--PRIVATE FUNDING REQUIRED.--The school shall, either through a foundation or other private funding sources, obtain gifts, grants and donations to ensure that the school has adequate revenue to pay for all expenses associated with outreach activities provided for in Section 6 of the New Mexico School for the Arts Act and for room and board costs for those students who are not able to pay the full cost of room and board as provided in Section 7 of that act. The school shall separately account for the costs of outreach activities and room and board and for the revenue received from private sources to pay those costs. The school shall not use money received from the state for these purposes. Failure of the school to secure adequate funding for these purposes shall be grounds for denial or revocation of a charter."

Chapter 15 Section 9 Laws 2008

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

Senate Bill 34, as amended, with emergency clause

Approved February 22, 2008

LAWS 2008, CHAPTER 16

AN ACT

RELATING TO DOMESTIC VIOLENCE; INCREASING PENALTIES FOR THREE OR MORE BATTERIES OR AGGRAVATED BATTERIES AGAINST CERTAIN HOUSEHOLD MEMBERS; PROVIDING A DEFINITION.

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

Chapter 16 Section 1 Laws 2008

Section 1. Section 30-3-11 NMSA 1978 (being Laws 1995, Chapter 221, Section 2) is amended to read:

"30-3-11. DEFINITIONS.--As used in the Crimes Against Household Members Act:

A. "household member" means a spouse, former spouse or family member, including a relative, parent, present or former step-parent, present or former in-law, a co-parent of a child or a person with whom a person has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for the purposes of the Crimes Against Household Members Act; and

B. "continuing personal relationship" means a dating or intimate relationship."

Chapter 16 Section 2 Laws 2008

Section 2. Section 30-3-15 NMSA 1978 (being Laws 1995, Chapter 221, Section 6, as amended) is amended to read:

"30-3-15. BATTERY AGAINST A HOUSEHOLD MEMBER.--

A. Battery against a household member consists of the unlawful, intentional touching or application of force to the person of a household member, when done in a rude, insolent or angry manner.

B. Whoever commits battery against a household member is guilty of a misdemeanor.

C. Upon conviction pursuant to this section, an offender shall be required to participate in and complete a domestic violence offender treatment or intervention program approved by the children, youth and families department pursuant to rules promulgated by the department that define the criteria for such programs.

D. Notwithstanding any provision of law to the contrary, if a sentence imposed pursuant to this section is suspended or deferred in whole or in part, the period of probation may extend beyond three hundred sixty-four days but may not exceed two years. If an offender violates a condition of probation, the court may impose any sentence that the court could originally have imposed and credit shall not be given for time served by the offender on probation; provided that the total period of incarceration shall not exceed three hundred sixty-four days and the combined period of incarceration and probation shall not exceed two years."

Chapter 16 Section 3 Laws 2008

Section 3. Section 30-3-16 NMSA 1978 (being Laws 1995, Chapter 221, Section 7, as amended) is amended to read:

"30-3-16. AGGRAVATED BATTERY AGAINST A HOUSEHOLD MEMBER.--

A. Aggravated battery against a household member consists of the unlawful touching or application of force to the person of a household member with intent to injure that person or another.

B. Whoever commits aggravated battery against a household member by inflicting an injury to that person that is not likely to cause death or great bodily harm, but that does cause painful temporary disfigurement or temporary loss or impairment of the functions of any member or organ of the body, is guilty of a misdemeanor.

C. Whoever commits aggravated battery against a household member by inflicting great bodily harm or doing so with a deadly weapon or doing so in any manner whereby great bodily harm or death can be inflicted is guilty of a third degree felony.

D. Upon conviction pursuant to Subsection B of this section, an offender shall be required to participate in and complete a domestic violence offender treatment or intervention program approved by the children, youth and families department pursuant to rules promulgated by the department that define the criteria for such programs.

E. Notwithstanding any provision of law to the contrary, if a sentence imposed pursuant to the provisions of Subsection B of this section is suspended or deferred in whole or in part, the period of probation may extend beyond three hundred sixty-four days but may not exceed two years. If an offender violates a condition of probation, the court may impose any sentence that the court could originally have imposed and credit shall not be given for time served by the offender on probation; provided that the total period of incarceration shall not exceed three hundred sixty-four days and the combined period of incarceration and probation shall not exceed two years."

Chapter 16 Section 4 Laws 2008

Section 4. A new section of the Crimes Against Household Members Act is enacted to read:

"MULTIPLE CONVICTIONS OF BATTERY OR AGGRAVATED BATTERY.--

A. Whoever commits three offenses of battery against a household member as provided in Section 30-3-15 NMSA 1978 or aggravated battery against a household member as provided in Subsection B of Section 30-3-16 NMSA 1978, or any combination thereof, when the household member is a spouse, a former spouse, a co-parent of a child or a person with whom the offender has had a continuing personal relationship is guilty of a fourth degree felony.

B. Whoever commits four or more offenses of battery against a household member as provided in Section

30-3-15 NMSA 1978 or aggravated battery against a household member as provided in Subsection B of Section 30-3-16 NMSA 1978, or any combination thereof, when the household member is a spouse, a former spouse, a co-parent of a child or a person with whom the offender has had a continuing personal relationship is guilty of a third degree felony.

C. For the purpose of determining the number of offenses committed, each offense must have been committed after conviction for the preceding offense."

Chapter 16 Section 5 Laws 2008

Section 5. APPLICABILITY.--The provisions of Section 4 of this act apply to convictions obtained on or after July 1, 2008.

Chapter 16 Section 6 Laws 2008

Section 6. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

Senate Bill 68, as amended

Approved February 22, 2008

LAWS 2008, CHAPTER 17

AN ACT

RELATING TO CRIMINAL LAW; CREATING A NEW CRIMINAL OFFENSE KNOWN AS HUMAN TRAFFICKING; PROVIDING PENALTIES; ESTABLISHING THE TASK FORCE TO COMBAT HUMAN TRAFFICKING.

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

Chapter 17 Section 1 Laws 2008

Section 1. A new section of the Criminal Code is enacted to read:

"HUMAN TRAFFICKING.--

A. Human trafficking consists of a person knowingly:

(1) recruiting, soliciting, enticing, transporting or obtaining by any means another person with the intent or knowledge that force, fraud or coercion will be used to subject the person to labor, services or commercial sexual activity;

(2) recruiting, soliciting, enticing, transporting or obtaining by any means a person under the age of eighteen years with the intent or knowledge that the person will be caused to engage in commercial sexual activity; or

(3) benefiting, financially or by receiving anything of value, from the labor, services or commercial sexual activity of another person with the knowledge that force, fraud or coercion was used to obtain the labor, services or commercial sexual activity.

B. The attorney general and the district attorney in the county of jurisdiction have concurrent jurisdiction to enforce the provisions of this section.

C. Whoever commits human trafficking is guilty of a third degree felony; except if the victim is under the age of:

(1) sixteen, the person is guilty of a second degree felony; or

(2) thirteen, the person is guilty of a first degree felony.

D. Prosecution pursuant to this section shall not prevent prosecution pursuant to any other provision of the law when the conduct also constitutes a violation of that other provision.

E. In a prosecution pursuant to this section, a human trafficking victim shall not be charged with accessory to the crime of human trafficking.

F. A person convicted of human trafficking shall, in addition to any other punishment, be ordered to make restitution to the victim for the gross income or value of the victim's labor or services and any other actual damages in accordance with Section 31-17-1 NMSA 1978.

G. As used in this section:

(1) "coercion" means:

(a) causing or threatening to cause harm to any person;

(b) using or threatening to use physical force against any person;

(c) abusing or threatening to abuse the law or legal process;

(d) threatening to report the immigration status of any person to governmental authorities; or

(e) knowingly destroying, concealing, removing, confiscating or retaining any actual or purported government document of any person; and

(2) "commercial sexual activity" means any sexual act or sexually explicit exhibition for which anything of value is given, promised to or received by any person."

Chapter 17 Section 2 Laws 2008

Section 2. HUMAN TRAFFICKING--BENEFITS AND SERVICES FOR HUMAN TRAFFICKING VICTIMS.--

A. Human trafficking victims found in the state shall be eligible for benefits and services from the state until the victim qualifies for benefits and services authorized by the federal Victims of Trafficking and Violence Protection Act of 2000; provided that the victim cooperates in the investigation or prosecution of the person charged with the crime of human trafficking. Benefits and services shall be provided to eligible human trafficking victims regardless of immigration status and may include:

- (1) case management;
- (2) emergency temporary housing;
- (3) health care;
- (4) mental health counseling;
- (5) drug addiction screening and treatment;
- (6) language interpretation, translation

services and English language instruction;

(7) job training, job placement assistance and post-employment services for job retention;

(8) services to assist the victim and the victim's family members; or

(9) other general assistance services and benefits as determined by the children, youth and families department.

B. As used in this section, "human trafficking victim" means a person subjected to human trafficking by a person charged in New Mexico with the crime of human trafficking.

Chapter 17 Section 3 Laws 2008

Section 3. TEMPORARY PROVISION--TASK FORCE TO COMBAT HUMAN TRAFFICKING--MEMBERSHIP--DUTIES.--

A. The "task force to combat human trafficking" is created. The task force shall consist of the following members:

- (1) the attorney general or the attorney general's designee;
- (2) the secretary of health or the secretary's designee;
- (3) the secretary of children, youth and families or the secretary's designee;
- (4) the secretary of public safety or the secretary's designee;
- (5) the chief public defender or the chief public defender's designee;
- (6) a representative from the New Mexico district attorneys association;
- (7) representatives of local law enforcement and state police from critical geographic areas of New Mexico affected by immigrant issues and human trafficking problems; and
- (8) representatives from organizations that provide services to victims of human trafficking, including immigrants and immigrant victims of sexual assault and domestic violence.

B. The task force shall:

- (1) collaborate with the United States attorney for the district of New Mexico, the United States border patrol and the United States immigration and customs enforcement to carry out the duties of the task force;
- (2) collect and organize data on the nature and extent of human trafficking in New Mexico;

(3) monitor and evaluate the implementation of this 2008 act, including the progress of federal, state and local law enforcement agencies in preventing human trafficking, protecting and providing assistance to victims of human trafficking and prosecuting human trafficking offenders;

(4) develop and conduct training for law enforcement personnel and victims services providers to identify victims of human trafficking;

(5) examine the training protocols developed by federal, state and local law enforcement agencies related to dealing with human trafficking victims and offenders;

(6) assist in coordinating federal, state and local government agencies in the implementation of this 2008 act;

(7) implement a media awareness campaign in communities affected by human trafficking;

(8) develop recommendations on how to strengthen state and local efforts to prevent human trafficking, protect and assist human trafficking victims and prosecute human trafficking offenders; and

(9) submit an annual report of its activities, findings and recommendations, including any proposed legislation, in December of each year to the governor and the legislature.

C. The chair of the task force shall be the attorney general or the attorney general's designee, and the task force shall meet at the call of the chair.

D. The public members of the task force are entitled to per diem and mileage as provided in the Per Diem and Mileage Act and shall receive no other perquisite, compensation or allowance.

E. The attorney general shall provide the staff for the task force.

F. The task force to combat human trafficking is terminated on July 1, 2016.

Chapter 17 Section 4 Laws 2008

Section 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

Approved February 22, 2008

LAWS 2008, CHAPTER 18

AN ACT

RELATING TO BUSINESS; INCREASING THE MAXIMUM ANNUAL PREMIUM FOR PROFESSIONAL LIABILITY INSURANCE FOR REAL ESTATE BROKERS.

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

Chapter 18 Section 1 Laws 2008

Section 1. Section 61-29-4.2 NMSA 1978 (being Laws 2001, Chapter 216, Section 1, as amended) is amended to read:

"61-29-4.2. ADDITIONAL POWERS OF THE COMMISSION-- PROFESSIONAL LIABILITY INSURANCE--MINIMUM COVERAGE.--

A. In addition to the powers and duties granted to

the commission pursuant to the provisions of Sections 61-29-4 and 61-29-4.1 NMSA 1978, the commission may adopt rules that require professional liability insurance coverage and may establish the minimum terms and conditions of coverage, including limits of coverage and permitted exceptions. If adopted by the commission, the rules shall require every applicant for an active license and licensee who applies for renewal of an active license to provide the commission with satisfactory evidence that the applicant or licensee has professional liability insurance coverage that meets the minimum terms and conditions required by commission rule.

B. The commission is authorized to solicit sealed, competitive proposals from insurance carriers to provide a group professional liability insurance policy that complies with the terms and conditions established by commission rule. The commission may approve one or more policies that comply with the commission rules; provided that the maximum annual premium shall not exceed three hundred dollars (\$300) for a licensee, that the minimum coverage shall not be less than one hundred thousand dollars (\$100,000) for an individual claim and not less than a five hundred thousand dollar (\$500,000) aggregate limit per policy and that the deductible

shall not be greater than one thousand dollars (\$1,000).

C. Rules adopted by the commission shall permit an active licensee to satisfy any requirement for professional liability insurance coverage by purchasing an individual policy.

D. Rules adopted by the commission shall provide that there shall not be a requirement for a licensee to have professional liability insurance coverage during a period when a group policy, as provided in Subsection B of this section, is not in effect."

Chapter 18 Section 2 Laws 2008

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

Senate Bill 229, as amended

Approved February 22, 2008Laws of 2008

LAWS 2008, CHAPTER 19

AN ACT

RELATING TO THE SUPREME COURT; PROVIDING THAT THE CHIEF JUSTICE OF THE SUPREME COURT BE ELECTED IN APRIL OF EACH EVEN-NUMBERED YEAR.

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

Chapter 19 Section 1 Laws 2008

Section 1. Section 34-2-1 NMSA 1978 (being Laws 1929, Chapter 9, Section 1, as amended) is amended to read:

"34-2-1. SUPREME COURT JUSTICES--NUMBER--ELECTION BY POSITION--ELECTION OF CHIEF JUSTICE.--

A. There shall be five justices of the supreme court.

B. In any election where more than one justice is to be nominated or elected for a term of the same length, the officer issuing the election proclamation shall designate as many positions, numbered consecutively, as there are places to be filled for terms of the same length. Each of these places shall be identified by the position number in all nominations and elections.

C. At their first meeting in April of each

even-numbered year, the justices of the supreme court shall, by a majority vote, designate one of their number, not

appointed, to serve as chief justice. In the absence of the chief justice, the senior justice present at the seat of government shall exercise the powers of chief justice. Seniority shall be determined by the length of present continuous service on the supreme court. In the event of a vacancy in the office of chief justice, the justices shall, by majority vote, designate one of their eligible number to serve for the remainder of the term."

Chapter 19 Section 2 Laws 2008

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2009.

Senate Bill 239

Approved February 22, 2008

LAWS 2008, CHAPTER 20

AN ACT

RELATING TO CULTURAL AFFAIRS; AUTHORIZING THE CULTURAL AFFAIRS DEPARTMENT TO OWN AND HOLD TITLE TO REAL PROPERTY FOR PURPOSES OF SUPPORTING THE PERFORMING ARTS IN NEW MEXICO.

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

Chapter 20 Section 1 Laws 2008

Section 1. Section 9-4A-6 NMSA 1978 (being Laws 2004, Chapter 25, Section 6) is amended to read:

"9-4A-6. SECRETARY--DUTIES AND GENERAL POWERS.--

A. The secretary is responsible to the governor for the operation of the department. It is the secretary's duty to manage all operations of the department and to administer and enforce the laws with which the secretary or the department is charged.

B. To perform the secretary's duties, the secretary has every power expressly enumerated in the laws, whether granted to the secretary or the department, or any division of the department, except where authority conferred upon any division therein is explicitly exempted from the secretary's authority by statute. In accordance with these provisions, the secretary shall:

(1) except as otherwise provided in the Cultural Affairs Department Act, exercise general supervisory and appointing authority over all department employees, subject to any applicable personnel laws and rules;

(2) delegate authority to subordinates as the secretary deems necessary and appropriate, clearly delineating such delegated authority and the limitations thereto;

(3) organize the department into those organizational units the secretary deems will enable it to function most efficiently, subject to any provisions of law requiring or establishing specific organizational units;

(4) within the limitations of available appropriations and applicable laws, employ and fix the compensation of those persons necessary to discharge the secretary's duties;

(5) take administrative action by issuing orders and instructions, not inconsistent with the law, to ensure implementation of and compliance with the provisions of law for whose administration or execution the secretary is responsible, and to enforce those orders and instructions by appropriate administrative action or actions in the courts;

(6) conduct research and studies that will improve the operations of the department and the provision of services to the citizens of the state;

(7) provide courses of instruction and practical training for employees of the department and other persons involved in the administration of programs with the objective of improving the operations and efficiency of the administration;

(8) prepare an annual budget of the department;

(9) provide cooperation, at the request of heads of administratively attached agencies, in order to:

(a) minimize or eliminate duplication of services and jurisdictional conflicts;

(b) coordinate activities and resolve problems of mutual concern; and

(c) resolve by agreement the manner and extent to which the department shall provide budgeting, recordkeeping and related clerical assistance to administratively attached agencies; and

(10) appoint, with the governor's consent, for each division, a "director". These appointed positions are exempt from the provisions of the Personnel Act. Persons appointed to these positions shall serve at the pleasure of the secretary.

C. The secretary may:

(1) apply for and receive, with the governor's approval, in the name of the department, any public or private funds, including United States government funds, available to the department to carry out its programs, duties or services; and

(2) acquire by purchase, gift, endowment or legacy real or personal property and hold title to that property in the name of the department for the purpose of promoting, encouraging and supporting the performing arts in New Mexico. Property acquired pursuant to this paragraph shall be held under the control and authority of the cultural affairs department.

D. Where functions of departments overlap, or a function assigned to one department could better be performed by another department, a secretary may recommend appropriate legislation to the next session of the legislature for its approval.

E. The secretary may make and adopt such reasonable procedural rules as may be necessary to carry out the duties of the department and its divisions. A rule promulgated by the director of a division in carrying out the functions and duties of the division shall not be effective until approved by the secretary. Unless otherwise provided by statute, a rule affecting a person or agency outside the department shall not be adopted, amended or repealed without a public hearing on the proposed action before the secretary or a hearing officer designated by the secretary. The public hearing shall be held in Santa Fe unless otherwise permitted by statute. Notice of the subject matter of the rule, the action proposed to be taken, the time and place of the hearing, the manner in which interested persons may present their views and the method by which copies of the proposed rule, proposed amendment or repeal of an existing rule may be obtained shall be published once at least thirty days prior to the hearing date in a newspaper of general circulation and mailed at least thirty days prior to the hearing date to all persons who have made a written request for advance notice of hearing. All rules shall be filed in accordance with the State Rules Act."

Senate Bill 242, as amended

Approved February 22, 2008

LAWS 2008, CHAPTER 21

AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING THE STATEWIDE COLLEGE AND WORKPLACE READINESS ASSESSMENTS; ALLOWING THE ELEVENTH GRADE STANDARDS-BASED ASSESSMENTS TO SERVE AS THE ASSESSMENT REQUIRED FOR GRADUATION; CHANGING THE DATE BY WHICH ASSESSMENT RULES MUST BE PROMULGATED; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007.

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

Chapter 21 Section 1 Laws 2008

Section 1. Section 22-2C-4.1 NMSA 1978 (being Laws 2007, Chapter 307, Section 4 and Laws 2007, Chapter 308, Section 4) is amended to read:

"22-2C-4.1. STATEWIDE COLLEGE AND WORKPLACE READINESS ASSESSMENT SYSTEM.--

A. The department shall establish a readiness assessment system to measure the readiness of every New Mexico high school student for success in higher education or a career no later than the 2008-2009 school year. The department shall ensure that the readiness assessment system is aligned with state academic content and performance standards, college placement tests and entry-level career skill requirements. The readiness assessment system shall include the following components:

(1) in grade nine, a short-cycle diagnostic assessment in reading, language arts and mathematics to be locally administered in the fall and at least two additional times during the year;

(2) in grade ten, a short-cycle diagnostic assessment in reading, language arts and mathematics that also serves as an early indicator of college readiness, to be locally administered at least three times during the year; and

(3) in grade eleven, in the fall, one or more of the following chosen by the student:

(a) a college placement assessment;

(b) a workforce readiness assessment; or

(c) an alternative demonstration of competency using standards-based indicators.

B. All students at the specified grade level shall participate in the readiness assessment system at no cost to the student.

C. The department shall ensure that results of performance on readiness assessments administered in grades nine and ten are reported to students, parents and public schools no later than four weeks following the date on which the assessments are administered, in a form that is easily understandable and useful in the next-step planning process. Reports of assessment results shall be provided to students and parents in writing whenever possible, but, if necessary, orally in the language best understood by each student and parent.

D. The department shall adopt standards for reasonable accommodations in the administration of readiness assessments for students with disabilities and limited English proficiency, including when and how accommodations may be applied.

E. In developing, selecting or approving the high school or college readiness assessments for school district or charter school use, the department may adopt commercially available standards-based assessments or approve a school district's or charter school's short-cycle assessments that meet the requirements of this section. The department shall involve appropriate licensed school employees in the development or selection of readiness assessments."

Chapter 21 Section 2 Laws 2008

Section 2. Section 22-13-1.1 NMSA 1978 (being Laws 1986, Chapter 33, Section 5, as amended by Laws 2007, Chapter 305, Section 1 and by Laws 2007, Chapter 307, Section 8 and also by Laws 2007, Chapter 308, Section 8) is amended to read:

"22-13-1.1. GRADUATION REQUIREMENTS.--

A. At the end of grades eight through eleven, each student shall prepare an interim next-step plan that sets forth the coursework for the grades remaining until high school graduation. Each year's plan shall explain any differences from previous interim next-step plans, shall be filed with the principal of the student's high school and shall be signed by the student, the student's parent and the student's guidance counselor or other school official charged with coursework planning for the student.

B. Each student must complete a final next-step plan during the senior year and prior to graduation. The plan shall be filed with the principal of the student's high school and shall be signed by the student, the student's parent and the student's guidance counselor or other school official charged with coursework planning for the student.

C. An individualized education program that meets the requirements of Subsections A and B of this section and that meets all applicable transition and procedural requirements of the federal Individuals with Disabilities Education Act for a student with a disability shall satisfy the next-step plan requirements of this section for that student.

D. A local school board shall ensure that each high school student has the opportunity to develop a

next-step plan based on reports of college and workplace readiness assessments, as available, and other factors and is reasonably informed about:

(1) curricular and course options, including honors or advanced placement courses, dual-credit courses, distance learning courses, career clusters or remediation programs that the college and workplace readiness assessments indicate to be appropriate;

(2) opportunities available that lead to different post-high-school options; and

(3) alternative opportunities available if the student does not finish a planned curriculum.

E. The secretary shall:

(1) establish specific accountability standards for administrators, counselors, teachers and school district staff to ensure that every student has the opportunity to develop a next-step plan;

(2) promulgate rules for accredited private schools in order to ensure substantial compliance with the provisions of this section;

(3) monitor compliance with the requirements of this section; and

(4) compile such information as is necessary to evaluate the success of next-step plans and report annually, by December 15, to the legislative education study committee and the governor.

F. Successful completion of a minimum of

twenty-three units aligned to the state academic content and performance standards shall be required for graduation. These units shall be as follows:

(1) four units in English, with major emphasis on grammar and literature;

(2) three units in mathematics, at least one of which is equivalent to the algebra 1 level or higher;

(3) two units in science, one of which shall have a laboratory component; provided, however, that with students entering the ninth grade beginning in

the 2005-2006 school year, three units in science shall be required, one of which shall have a laboratory component;

(4) three units in social science, which shall include United States history and geography, world history and geography and government and economics;

(5) one unit in physical education;

(6) one unit in communication skills or business education, with a major emphasis on writing and speaking and that may include a language other than English;

(7) one-half unit in New Mexico history for students entering the ninth grade beginning in the 2005-2006 school year; and

(8) nine elective units and seven and

one-half elective units for students entering the ninth grade in the 2005-2006 school year that meet department content and performance standards. Student service learning shall be offered as an elective. Financial literacy shall be offered as an elective.

G. For students entering the ninth grade beginning in the 2009-2010 school year, at least one of the units required for graduation shall be earned as an advanced placement or honors course, a dual-credit course offered in cooperation with an institution of higher education or a distance learning course.

H. The department shall establish a procedure for students to be awarded credit through completion of specified career technical education courses for certain graduation requirements.

I. Successful completion of the requirements of the New Mexico diploma of excellence shall be required for graduation for students entering the ninth grade beginning in the 2009-2010 school year. Successful completion of a minimum of twenty-four units aligned to the state academic content and performance standards shall be required to earn a New Mexico diploma of excellence. These units shall be as follows:

(1) four units in English, with major emphasis on grammar, nonfiction writing and literature;

(2) four units in mathematics, of which one shall be the equivalent to or higher than the level of algebra 2, unless the parent submitted written, signed permission for the student to complete a lesser mathematics unit;

(3) three units in science, two of which shall have a laboratory component;

(4) three and one-half units in social science, which shall include United States history and geography, world history and geography and government and economics, and one-half unit of New Mexico history;

(5) one unit in physical education;

(6) one unit in one of the following:

a career cluster course, workplace readiness or a language other than English; and

(7) seven and one-half elective units that meet department content and performance standards. Student service learning shall be offered as an elective. Financial literacy shall be offered as an elective.

J. Final examinations shall be administered to all students in all classes offered for credit.

K. Until July 1, 2010, a student who has not passed a state graduation examination in the subject areas of reading, English, mathematics, writing, science and social science shall not receive a high school diploma. The state graduation examination on social science shall include a section on the constitution of the United States and the constitution of New Mexico. If a student exits from the school system at the end of grade twelve without having passed a state graduation examination, the student shall receive an appropriate state certificate indicating the number of credits earned and the grade completed. If within five years after a student exits from the school system the student takes and passes the state graduation examination, the student may receive a high school diploma.

L. Beginning with the 2010-2011 school year, a student shall not receive a New Mexico diploma of excellence if the student has not demonstrated competence in the subject areas of mathematics, reading and language arts, writing, social studies and science, including a section on the constitution of the United States and the constitution of New Mexico, based on a standards-based assessment or assessments or a portfolio of standards-based indicators established by the department by rule. The standards-based assessments required in Section 22-2C-4 NMSA 1978 may also serve as the assessment required for high school graduation. If a student exits from the school system at the end of grade twelve without having satisfied the requirements of this subsection, the student shall receive an appropriate state certificate indicating the number of credits earned and the grade completed. If within five years after a student exits from the school system the student satisfies the requirement of this subsection, the student may receive a New Mexico diploma of excellence.

M. As used in this section:

(1) "final next-step plan" means a next-step plan that shows that the student has committed or intends to commit in the near future to a four-year college or

university, a two-year college, a trade or vocational program, an internship or apprenticeship, military service or a job;

(2) "interim next-step plan" means an annual next-step plan in which the student specifies

post-high-school goals and sets forth the coursework that will allow the student to achieve those goals; and

(3) "next-step plan" means an annual personal written plan of studies developed by a student in a public school or other state-supported school or institution in consultation with the student's parent and school counselor or other school official charged with coursework planning for the student that includes one or more of the following:

(a) advanced placement or honors courses;

(b) dual-credit courses offered in cooperation with an institution of higher education; and

(c) distance learning courses.

N. The secretary may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code."

Senate Bill 460

Approved February 22, 2008

LAWS 2008, CHAPTER 22

AN ACT

RELATING TO WATER; AMENDING AND ENACTING SECTIONS OF CHAPTER 72, ARTICLE 1 NMSA 1978 TO PROVIDE FOR AN ALTERNATIVE METHOD OF ACQUIRING WATER RIGHTS TO SATISFY THE PECOS RIVER SETTLEMENT; DECLARING AN EMERGENCY.

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

Chapter 22 Section 1 Laws 2008

Section 1. A new section of Chapter 72, Article 1 NMSA 1978 is enacted to read:

"PECOS RIVER--PURCHASE OF ADDITIONAL WATER RIGHTS.--

A. In addition to the land with appurtenant water rights or rights to the delivery of water acquired pursuant to the provisions of Section 72-1-2.4 NMSA 1978, the interstate stream commission may expend funds for the purchase of water rights or rights to the delivery of water without acquiring the surface of the land to which the water rights or rights to the delivery of water are appurtenant. No such expenditure shall be made unless the commission has entered into contracts with the governing bodies of the Carlsbad irrigation district, the Pecos valley artesian conservancy district and the Fort Sumner irrigation district that specify the actions the parties agree will be taken or avoided to ensure that the expenditures will be effective toward permanent compliance with New Mexico's obligations under the Pecos River Compact pursuant to Section 72-15-19 NMSA 1978 and the amended decree.

B. Expenditures for the purchase of water rights or rights to the delivery of water pursuant to this section shall be made only from willing sellers in accordance with the following criteria:

(1) the water rights or rights to the delivery of water are located within the Carlsbad irrigation district, the Roswell artesian basin, the Pecos valley artesian conservancy district or between the Acme gauge to and including the Fort Sumner irrigation district;

(2) the transactions through which the commission purchases the water rights or rights to the delivery of water are conducted in compliance with procedures set forth in Subsections F and G of Section 72-1-2.4 NMSA 1978, except that the resulting contracts shall not require the commission to purchase the land to which the water rights or rights to the delivery of water are appurtenant; and

(3) land from which water rights or the rights to the delivery of water are severed shall be subject to deed restrictions to ensure that no new water development or use, including the drilling of domestic wells pursuant to Sections 72-12-1.1, 72-12-1.2 and 72-12-1.3 NMSA 1978, occurs on the land without transfer of valid, existing water rights and that notice of such deed restrictions shall be recorded in the real property records of the county in which the land is located and provided to the state engineer; provided that the commission shall not be responsible for the establishment of cover vegetation or the ongoing maintenance of the land.

C. Water rights or rights to the delivery of water purchased by the commission pursuant to this section shall be included in the calculation of the ratio mandated by Section 72-1-2.4 NMSA 1978.

D. If the interstate stream commission determines that ownership of all or any part of the surface of land acquired by the commission pursuant to Section 72-1-2.4 NMSA 1978 is not necessary or desirable, the commission may offer the land for sale, in accordance with state law. The land may be offered for sale by sending a written offer

to sell, by certified mail, to the party from whom the commission purchased the land at the party's last known address. The offer shall remain open for at least sixty days from the date of mailing. The offer shall include a notice that, if the offer is not accepted by the prior owner within the time stated pursuant to this section, the offer will be deemed rejected and automatically withdrawn and the land may be made available for purchase by third parties in accordance with state law. Land sold pursuant to this section shall be subject to deed restrictions to ensure that no new water development or use, including the drilling of domestic wells pursuant to Sections 72-12-1.1, 72-12-1.2 and 72-12-1.3 NMSA 1978, occurs on the land without transfer of valid, existing water rights and that notice of such deed restrictions shall be recorded in the real property records of the county in which the land is located and provided to the state engineer. The revenue from the sale shall be deposited into the Pecos river basin land management fund.

E. If the interstate stream commission determines that the total water rights and the rights to the delivery of water purchased pursuant to Chapter 72, Article 1 NMSA 1978 are in excess of those rights permanently needed for

New Mexico's obligations under the Pecos River Compact, the commission shall offer the excess water rights for sale in the manner set forth in Section 72-1-2.4 NMSA 1978."

Chapter 22 Section 2 Laws 2008

Section 2. Section 72-1-2.5 NMSA 1978 (being Laws 2006, Chapter 77, Section 1) is amended to read:

"72-1-2.5. PECOS RIVER BASIN LAND MANAGEMENT FUND.--The "Pecos river basin land management fund" is created in the state treasury. The fund shall consist of appropriations, grants, donations or bequests to the fund, income from land and water rights purchased pursuant to Chapter 72, Article 1 NMSA 1978, revenue from land sold pursuant to Chapter 72, Article 1 NMSA 1978 and income from investment of the fund or money otherwise accruing to the fund. Money in the fund shall be invested pursuant to Chapter 6, Article 10 NMSA 1978. The interstate stream commission shall adopt rules for managing the land, for depositing revenues from the land and to administer the fund, and money in the fund is appropriated to the commission to manage the land purchases pursuant to Section 72-1-2.4 NMSA 1978 and to manage augmentation well fields in the lower Pecos river basin. Money in the fund shall not revert to any other fund at the end of a fiscal year. Money in the fund shall be disbursed on warrants signed by the secretary of finance and administration pursuant to vouchers signed by the director of the interstate stream commission or the director's authorized representative."

Chapter 22 Section 3 Laws 2008

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

Senate Bill 227, as amended, with emergency clause

Approved February 27, 2008

LAWS 2008, CHAPTER 23

AN ACT

RELATING TO PUBLIC FUNDS; CLARIFYING THE PROVISION REGARDING INVESTMENTS OF PUBLIC FUNDS OF LOCAL GOVERNING BODIES AND OTHER ELIGIBLE GOVERNING BODIES; EXPANDING PARTICIPATION OF PARTICIPATING GOVERNMENTS IN CERTAIN INVESTMENT FUNDS; AMENDING SECTIONS OF THE NMSA 1978; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Chapter 23 Section 1 Laws 2008

Section 1. Section 6-10-1.1 NMSA 1978 (being Laws 1987, Chapter 79, Section 3, as amended) is amended to read:

"6-10-1.1. DEFINITIONS.--As used in Chapter 6, Article 10 NMSA 1978:

- A. "department" means the department of finance and administration;
- B. "deposit" includes share, share certificate and share draft;
- C. "eligible governing body" means a local governing body, the governing authority of a tribe or any other governmental or quasi-governmental body created or authorized to be created pursuant to New Mexico statutes;
- D. "finance officer" means the chief financial officer of an eligible governing body or a participating government;
- E. "local governing body" means a political subdivision of the state, including a school district or a post-secondary educational institution;
- F. "participating government" means an eligible governing body or the state treasurer on behalf of the general fund that has invested money in the participating government investment fund;
- G. "secretary" means the secretary of finance and administration; and

H. "tribe" means a federally recognized Indian nation, tribe or pueblo or a subdivision or agency of a federally recognized Indian nation, tribe or pueblo, located wholly or partially in New Mexico."

Chapter 23 Section 2 Laws 2008

Section 2. Section 6-10-10 NMSA 1978 (being Laws 1933, Chapter 175, Section 4, as amended) is amended to read:

"6-10-10. DEPOSIT AND INVESTMENT OF FUNDS.--

A. Upon the certification or designation of a bank, savings and loan association or credit union whose deposits are insured by an agency of the United States to receive public money on deposit, the state treasurer and county or municipal treasurers who have on hand any public money by virtue of their offices shall make deposit of that money in banks and savings and loan associations and may make deposit of that money in credit unions whose deposits are insured by an agency of the United States, designated by the authority authorized by law to so designate to receive the deposits of all money thereafter received or collected by the treasurers.

B. County or municipal treasurers may deposit money in one or more accounts with any such bank, savings and loan association or credit union located in their respective counties, subject to limitation on credit union accounts.

C. The state treasurer may deposit money in one or more accounts with any such bank, savings and loan association or credit union, subject to the limitation on credit union accounts.

D. Duplicate receipts or deposit slips shall be taken for each deposit made pursuant to Subsection A, B or C of this section. When deposits are made by the state treasurer, one copy of the receipt or deposit slip shall be retained by the state treasurer and the other copy shall be filed monthly on the first day of each month with the financial control division of the department of finance and administration. When deposits are made by the treasurer or any other authorized person making the deposits for a board of finance of a public or educational institution, one copy of the receipt or deposit slip shall be retained by the treasurer or authorized person making the deposit and the other copy shall be filed monthly on the first day of each month with that board of finance. When deposits are made by a county or municipal treasurer, one of the duplicate receipts or deposit slips shall be retained by the treasurer making the deposit and the other copy shall be filed monthly on the first day of each month with the secretary of the board of finance of the county or municipality for which that treasurer is acting.

E. "Deposit", as used in this section, means either investment or deposit and includes share, share certificate and share draft.

F. County or municipal treasurers, with the advice and consent of their respective boards of finance charged with the supervision and control of the respective funds, may invest all sinking funds or money remaining unexpended from the proceeds of any issue of bonds or other negotiable securities of any county, municipality or school district that is entrusted to their care and custody and all money not immediately necessary for the public uses of the counties, municipalities or school districts not invested or deposited in banks, savings and loan associations or credit unions in:

(1) bonds or negotiable securities of the United States, the state or a county, municipality or school district that has a taxable valuation of real property for the last preceding year of at least one million dollars (\$1,000,000) and that has not defaulted in the payment of any interest or sinking fund obligation or failed to meet any bonds at maturity at any time within five years last preceding; or

(2) securities that are issued by the United States government or by its agencies or instrumentalities and that are either direct obligations of the United States, the federal home loan mortgage association, the federal national mortgage association, the federal farm credit bank, federal home loan banks or the student loan marketing association or that are backed by the full faith and credit of the United States government.

G. The treasurer of a class A county or the treasurer of a municipality having a population of more than sixty-five thousand according to the most recent federal decennial census and located within a class A county, with the advice and consent of the boards of finance charged with the supervision and control of the funds, may invest all sinking funds or money remaining unexpended from the proceeds of any issue of bonds or other negotiable securities of the county or municipality that is entrusted to the treasurer's care and custody and all money not immediately necessary for the public uses of the county or municipality not invested or deposited in banks, savings and loan associations or credit unions in:

(1) shares of a diversified investment company registered pursuant to the federal Investment Company Act of 1940 that invests in fixed-income securities or debt instruments that are listed in a nationally recognized, broad-market, fixed-income-securities market index; provided that the investment company or manager has total assets under management of at least one hundred million dollars (\$100,000,000) and provided that the board of finance of the county or municipality may allow reasonable administrative and investment expenses to be paid directly from the income or assets of these investments;

(2) individual, common or collective trust funds of banks or trust companies that invest in fixed-income securities or debt instruments that are listed in a nationally recognized, broad-market, fixed-income-securities market index; provided that the investment company or manager has total assets under management of at least one hundred million dollars (\$100,000,000) and provided that the board of finance of the

county or municipality may allow reasonable administrative and investment expenses to be paid directly from the income or assets of these investments; or

(3) shares of pooled investment funds managed by the state investment officer, as provided in Subsection E of Section 6-8-7 NMSA 1978; provided that the board of finance of the county or municipality may allow reasonable administrative and investment expenses to be paid directly from the income or assets of these investments.

H. A local public body, with the advice and consent of the body charged with the supervision and control of the local public body's respective funds, may invest all sinking funds or money remaining unexpended from the proceeds of any issue of bonds or other negotiable securities of the investor that is entrusted to the local public body's care and custody and all money not immediately necessary for the public uses of the investor and not otherwise invested or deposited in banks, savings and loan associations or credit unions in contracts with banks, savings and loan associations or credit unions for the present purchase and resale at a specified time in the future of specific securities at specified prices at a price differential representing the interest income to be earned by the investor. The contract shall be fully secured by obligations of the United States or other securities backed by the United States having a market value of at least one hundred two percent of the contract. The collateral required for investment in the contracts provided for in this subsection shall be shown on the books of the financial institution as being the property of the investor and the designation shall be contemporaneous with the investment. As used in this subsection, "local public body" includes all political subdivisions of the state and agencies, instrumentalities and institutions thereof; provided that home rule municipalities that prior to July 1, 1994 had enacted ordinances authorizing the investment of repurchase agreements may continue investment in repurchase agreements pursuant to those ordinances.

I. The state treasurer, with the advice and consent of the state board of finance, may invest money held in demand deposits and not immediately needed for the operation of state government and money held in the participating government investment fund, except as provided in Section 6-10-10.1 NMSA 1978. The investments may be made in securities that are issued by the United States government or by its departments or agencies and are either direct obligations of the United States or are backed by the full faith and credit of the United States government or agencies sponsored by the United States government.

J. The state treasurer, with the advice and consent of the state board of finance, may also invest in contracts for the present purchase and resale at a specified time in the future, not to exceed one year or, in the case of bond proceeds, not to exceed three years, of specific securities at specified prices at a price differential representing the interest income to be earned by the state. Such contract shall not be invested in unless the contract is fully secured by obligations of the United States or its agencies or instrumentalities or by other securities backed by the United States or its agencies or instrumentalities having a market value of at least one hundred two percent

of the amount of the contract. The securities required as collateral under this subsection shall be delivered to a third-party custodian bank pursuant to a contract with the state and the counterparty or to the fiscal agent of New Mexico or its designee. Delivery shall be made simultaneously with the transfer of funds or as soon as practicable, but no later than the same day that the funds are transferred.

K. The state treasurer, with the advice and consent of the state board of finance, may also invest in contracts for the temporary exchange of state-owned securities for the use of broker-dealers, banks or other recognized institutional investors in securities, for periods not to exceed one year for a specified fee rate. Such contract shall not be invested in unless the contract is fully secured by exchange of an irrevocable letter of credit running to the state, cash or equivalent collateral of at least one hundred two percent of the market value of the securities plus accrued interest temporarily exchanged. The collateral required by this subsection shall be delivered to the fiscal agent of New Mexico or its designee simultaneously with the transfer of funds or as soon as practicable, but no later than the same day that the state-owned securities are transferred.

L. Neither of the contracts in Subsection J or K of this section shall be invested in unless the contracting bank, brokerage firm or recognized institutional investor has a net worth in excess of five hundred million dollars (\$500,000,000).

M. The state treasurer, with the advice and consent of the state board of finance, may also invest in any of the following investments in an amount not to exceed forty percent of any fund that the state treasurer invests:

(1) commercial paper rated "prime" quality by a national rating service, issued by corporations organized and operating within the United States;

(2) medium-term notes and corporate notes with a maturity not exceeding five years that are rated A or its equivalent or better by a nationally recognized rating service and that are issued by a corporation organized and operating in the United States; or

(3) an asset-backed obligation with a maturity not exceeding five years that is rated AAA or its equivalent by a nationally recognized rating service.

N. The state treasurer, with the advice and consent of the state board of finance, may also invest in:

(1) shares of an open-ended diversified investment company that:

(a) is registered with the United States securities and exchange commission;

(b) complies with the diversification, quality and maturity requirements of Rule 2a-7, or any successor rule, of the United States securities and exchange commission applicable to money market mutual funds; and

(c) assesses no fees pursuant to Rule 12b-1, or any successor rule, of the United States securities and exchange commission, no sales load on the purchase of shares and no contingent deferred sales charge or other similar charges, however designated, provided that the state shall not, at any time, own more than five percent of a money market mutual fund's assets;

(2) individual, common or collective trust funds of banks or trust companies that invest in United States fixed-income securities or debt instruments authorized pursuant to Subsections I, J and M of this section, provided that the investment manager has assets under management of at least one billion dollars (\$1,000,000,000) and the investments made by the state treasurer pursuant to this paragraph are less than five percent of the assets of the individual, common or collective trust fund; or

(3) the participating government investment fund managed by the office of the state treasurer. Investments made pursuant to this paragraph shall be less than five percent of the total assets of the participating government investment fund.

O. Public funds to be invested in negotiable securities or loans to financial institutions fully secured by negotiable securities at current market value shall not be paid out unless there is a contemporaneous transfer of the securities at the earliest time industry practice permits, but in all cases, settlement shall be on a same-day basis either by physical delivery or, in the case of uncertificated securities, by appropriate book entry on the books of the issuer, to the purchaser or to a reputable safekeeping financial institution acting as agent or trustee for the purchaser, which agent or trustee shall furnish timely confirmation to the purchaser."

Chapter 23 Section 3 Laws 2008

Section 3. Section 6-10-10.1 NMSA 1978 (being Laws 1988, Chapter 61, Section 2, as amended) is amended to read:

"6-10-10.1. PARTICIPATING GOVERNMENT INVESTMENT FUND CREATED--
DISTRIBUTION OF EARNINGS--REPORT OF INVESTMENTS.--

A. There is created in the state treasury the "participating government investment fund". The fund shall consist of all deposits from participating governments, including revenues dedicated to repaying bonds, that are placed in the custody of the state treasurer for investment purposes pursuant to this section. The state treasurer shall maintain one or more separate accounts for each participating government having deposits in the participating government investment fund and may divide the fund into two or more subfunds, as the state treasurer deems appropriate, for short-term and

medium-term investment purposes, including one or more subfunds for bond proceeds deposited by participating governments.

B. If an eligible governing body is unable to receive payment on public money at the rate of interest as set forth in Section 6-10-36 NMSA 1978 from financial institutions within the geographic boundaries of the eligible governing body, or if the eligible governing body is not bound by the terms of Section 6-10-36 NMSA 1978, the finance officer having control of the money of that eligible governing body not required for current expenditure may, with the consent of the board of finance of the eligible governing body if consent is required by the laws or rules of the eligible governing body, remit some or all of the money to the state treasurer for deposit for the purpose of investment as allowed by this section.

C. Before funds are invested or reinvested pursuant to this section, a finance officer shall notify and make the funds available for investment to banks, savings and loan associations and credit unions located within the geographical boundaries of the participating government or the eligible governing body, subject to the limitation on credit union accounts. To be eligible for deposit of the government funds, the financial institution shall pay to the participating government or eligible governing body the rate established by the state treasurer pursuant to a policy adopted by the state board of finance for the investments.

D. A finance officer shall specify the length of time a deposit shall be in the participating government investment fund. The state treasurer through the use of the state fiscal agent shall separately track each deposit and shall make information regarding the deposit available to the public upon written request.

E. The state treasurer shall invest the participating government investment fund as provided in Section 6-10-10 NMSA 1978 regarding the investment of state funds in investments with a maturity at the time of purchase that does not exceed three years. The state treasurer may elect to have the participating government investment fund consolidated for investment purposes with the state funds under the control of the state treasurer; provided that accurate and detailed accounting records are maintained for the account of each participating government and that a proportionate amount of interest earned is credited to each of the separate accounts of a participating government. The fund shall be invested to achieve its objective, which is to realize the maximum return consistent with safe and prudent management.

F. At the end of each month, all net investment income or losses from investment of the participating government investment fund shall be distributed by the state treasurer to the accounts of participating governments in amounts directly proportionate to the respective amounts deposited by them in the participating government investment fund and the length of time the amounts in each account were invested.

G. The state treasurer shall charge participating governments reasonable audit, administrative and investment expenses and shall deduct those expenses directly from the net investment income for the investment and administrative services provided pursuant to this subsection. The amount of the charges, the manner of the use by the state treasurer and the nature of bond-related services to be offered shall be established in rules adopted and promulgated by the state treasurer subject to approval by the state board of finance.

H. Subject to appropriation by the legislature, amounts deducted from the accounts of participating governments for charges permitted pursuant to this section shall be expended by the state treasurer in fiscal year 2008 and in subsequent fiscal years for the administration and management of the participating government investment fund, services provided to participating governments related to investment of their money in that fund and other services authorized by this section. Balances remaining at the end of a fiscal year from the amounts deducted pursuant to this section shall revert to the general fund. Balances in the state treasurer's operating account resulting from deductions taken pursuant to this section in excess of the amount required to provide administration, management and related services required by this subsection or other services authorized by this section shall be offset by reductions in the charges made by the state treasurer to the accounts of participating governments in subsequent deductions from participating governments' accounts.

I. Investments of the participating government investment fund shall be made in such a manner that the portion of the fund invested in short-term investments maintains a "AA" or higher rating. Each fiscal year and at such other times as directed by the state board of finance, the state treasurer shall cause to have the short-term investment portion of the participating government investment fund rated by a nationally recognized statistical rating organization. If the rating received by the short-term investment portion of the fund is lower than "AA", the state treasurer shall immediately submit a plan to the state board of finance detailing the steps that will be taken to obtain a "AA" or higher rating.

J. The state treasurer may offer to provide to participating governments services related to requirements of the federal income tax laws applicable to the investment of bond proceeds.

K. A tribe or quasi-governmental body created pursuant to New Mexico statute may become a participating government only if the governing authority of the tribe or quasi-governmental body has adopted a resolution authorizing the tribe or quasi-governmental body to remit money to the state treasurer for investment in the participating government investment fund.

L. Deposits by the state treasurer on behalf of the general fund shall not exceed five percent of the total amount in the participating government investment fund at any time."

Chapter 23 Section 4 Laws 2008

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

House Bill 184, with emergency clause

Approved February 27, 2008

LAWS 2008, CHAPTER 24

AN ACT

RELATING TO ENERGY; AMENDING SECTIONS OF THE NMSA 1978 TO PROVIDE FOR ENERGY EFFICIENCY AND LOAD MANAGEMENT FOR PUBLIC UTILITY CUSTOMERS.

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

Chapter 24 Section 1 Laws 2008

Section 1. Section 62-3-1 NMSA 1978 (being Laws 1967, Chapter 96, Section 2) is amended to read:

"62-3-1. DECLARATION OF POLICY.--

A. Public utilities, as defined in Section 62-3-3 NMSA 1978, are affected with the public interest in that, among other things:

(1) a substantial portion of public utilities' business and activities involves the rendition of essential public services to a large number of the general public;

(2) public utilities' financing involves the investment of large sums of money, including capital obtained from many members of the general public; and

(3) the development and extension of public utilities' business directly affects the development, growth and expansion of the general welfare, business and industry of the state.

B. It is the declared policy of the state that the public interest, the interest of consumers and the interest of investors require the regulation and supervision of public utilities to the end that reasonable and proper services shall be available at fair,

just and reasonable rates and to the end that capital and investment may be encouraged and attracted so as to provide for the construction, development and extension, without unnecessary duplication and economic waste, of proper plants and facilities and demand-side resources for the rendition of service to the general public and to industry."

Chapter 24 Section 2 Laws 2008

Section 2. Section 62-8-6 NMSA 1978 (being Laws 1941, Chapter 84, Section 42, as amended) is amended to read:

"62-8-6. DISCRIMINATION.--No public utility shall, as to rates or services, make or grant any unreasonable preference or advantage to any corporation or person within any classification or subject any corporation or person within any classification to any unreasonable prejudice or disadvantage. No public utility shall establish and maintain any unreasonable differences as to rates of service either as between localities or as between classes of service. Nothing shall prohibit, however, the commission from approving economic development rates and rates designed to retain load or from approving energy efficiency programs designed to reduce the burden of energy costs on low-income customers pursuant to the Efficient Use of Energy Act."

Chapter 24 Section 3 Laws 2008

Section 3. Section 62-17-2 NMSA 1978 (being Laws 2005, Chapter 341, Section 2) is amended to read:

"62-17-2. FINDINGS.--The legislature finds that:

A. energy efficiency and load management are

cost-effective resources that are an essential component of the balanced resource portfolio that public utilities must achieve to provide affordable and reliable energy to public utility consumers;

B. energy efficiency and load management in New Mexico are resources that are currently underutilized, and it is necessary and appropriate to provide rate treatment and financial incentives to public utilities to develop all cost-effective and achievable energy efficiency and load management resources;

C. public and municipal utility energy efficiency and load management programs present opportunities to increase New Mexico's energy security, protect New Mexico energy consumers from price increases, preserve the state's natural resources and pursue an improved environment in New Mexico;

D. energy efficiency and load management programs by public utilities in accordance with the Efficient Use of Energy Act can bring significant economic benefits to New Mexico;

E. it serves the public interest to support public utility development of all cost-effective energy efficiency and load management by removing, to the extent possible, regulatory disincentives and allowing recovery of costs for reasonable and prudently incurred expenses of energy efficiency and load management programs and also allowing public utilities the opportunity to earn a profit on cost-effective energy efficiency and load management resource development that, with satisfactory program performance, is financially more attractive than developing supply-side resources, while at the same time ensuring it is done in a manner that balances the public interest, consumers' interests and investors' interests;

F. utility energy efficiency and load management programs for economically disadvantaged New Mexicans, in conjunction with low-income weatherization programs managed by the state of New Mexico, will reduce the burden of utility costs on low-income customers;

G. cost-effective energy efficiency and load management programs undertaken by public utilities can provide significant reductions in greenhouse gas emissions, regulated air emissions, water consumption and natural resource depletion, and can avoid or delay the need for more expensive generation, transmission and distribution infrastructure;

H. New Mexico should participate in regional efforts to reduce energy consumption by twenty percent by 2020 through programs to reduce energy consumption;

I. public utility resource planning to meet

New Mexico's energy service needs should be identified and evaluated on an ongoing basis in accordance with the principles of integrated resource planning; and

J. it is necessary and appropriate to allow distribution cooperative utilities to participate in the implementation of energy efficiency programs in ways that differ from rules applicable to public utilities that are not customer owned."

Chapter 24 Section 4 Laws 2008

Section 4. Section 62-17-3 NMSA 1978 (being Laws 2005, Chapter 341, Section 3) is amended to read:

"62-17-3. POLICY.--It is the policy of the Efficient Use of Energy Act that public utilities, distribution cooperative utilities and municipal utilities include all cost-effective energy efficiency and load management programs in their energy resource portfolios,

that regulatory disincentives to public utility development of cost-effective energy efficiency and load management be removed in a manner that balances the public interest, consumers' interests and investors' interests and that the commission provide public utilities an opportunity to earn a profit on cost-effective energy efficiency and load management resources that, with satisfactory program performance, is financially more attractive to the utility than supply-side resources."

Chapter 24 Section 5 Laws 2008

Section 5. Section 62-17-4 NMSA 1978 (being Laws 2005, Chapter 341, Section 4) is amended to read:

"62-17-4. DEFINITIONS.--As used in the Efficient Use of Energy Act:

A. "achievable" means those energy efficiency or load management resources available to the utility using its best efforts;

B. "commission" means the public regulation commission;

C. "cost-effective" means that the energy efficiency or load management program meets the total resource cost test;

D. "customer" means a utility customer at a single, contiguous field, location or facility, regardless of the number of meters at that field, location or facility;

E. "distribution cooperative utility" means a utility with distribution facilities organized as a rural electric cooperative pursuant to Laws 1937, Chapter 100 or the Rural Electric Cooperative Act or similarly organized in other states;

F. "energy efficiency" means measures, including energy conservation measures, or programs that target consumer behavior, equipment or devices to result in a decrease in consumption of electricity and natural gas without reducing the amount or quality of energy services;

G. "large customer" means a customer with electricity consumption greater than seven thousand megawatt- hours per year or natural gas use greater than three hundred sixty thousand decatherms per year;

H. "load management" means measures or programs that target equipment or devices to result in decreased peak electricity demand or shift demand from peak to off-peak periods;

I. "public utility" means a public utility that is not also a distribution cooperative utility; and

J. "total resource cost test" means a standard that is met if the monetary costs that are borne by the utility and the participants and that are incurred to develop, acquire and operate energy efficiency or load management resources on a life-cycle basis are less than the avoided monetary costs associated with developing, acquiring and operating the associated supply-side resources. In developing this test for energy efficiency and load management programs directed to low-income customers, the commission shall either quantify or assign a reasonable value to reductions in working capital, reduced collection costs, lower bad-debt expense, improved customer service effectiveness and other appropriate factors as utility system economic benefits."

Chapter 24 Section 6 Laws 2008

Section 6. Section 62-17-5 NMSA 1978 (being Laws 2005, Chapter 341, Section 5, as amended) is amended to read:

"62-17-5. COMMISSION APPROVAL--ENERGY EFFICIENCY AND LOAD MANAGEMENT PROGRAMS--DISINCENTIVES.--

A. Pursuant to the findings and purpose of the Efficient Use of Energy Act, the commission shall consider public utility acquisition of cost-effective energy efficiency and load management resources to be in the public interest.

B. The commission shall direct public utilities to evaluate and implement cost-effective programs that reduce energy demand and consumption.

C. Before the commission approves an energy efficiency and load management program for a public utility, it must find that the portfolio of programs is cost-effective and designed to provide every affected customer class with the opportunity to participate and benefit economically. The commission shall determine the cost-effectiveness of energy efficiency and load management measures using the total resource cost test.

D. The commission shall act expeditiously on public utility requests for approval of energy efficiency or load management programs.

E. Public utilities shall obtain commission approval of energy efficiency and load management programs before they are implemented. Public utilities proposing new energy efficiency and load management programs shall, before seeking commission approval, solicit nonbinding recommendations on the design, implementation and use of third-party energy service contractors through competitive bidding on the programs from commission staff, the attorney general, the energy, minerals and natural resources department and other interested parties. The commission may for good cause require utilities to solicit competitive bids for energy efficiency and load management resources.

F. The commission shall, upon petition or its own motion, identify regulatory disincentives or barriers for public utility expenditures on energy efficiency and load management measures and ensure that they are removed in a manner that balances the public interest, consumers' interests and investors' interests. The commission shall also provide public utilities an opportunity to earn a profit on cost-effective energy efficiency and load management resource development that, with satisfactory program performance, is financially more attractive to the utility than supply-side utility resources.

G. Public utilities providing electricity and natural gas service to New Mexico customers shall, subject to commission approval, acquire all cost-effective and achievable energy efficiency and load management resources available in their service territories. This requirement, however, for public utilities providing electricity service, shall not be less than savings of five percent of 2005 total retail kilowatt-hour sales to New Mexico customers in calendar year 2014 and ten percent of 2005 total retail kilowatt-hour sales to New Mexico customers in 2020 as a result of energy efficiency and load management programs implemented starting in 2007.

H. A utility that determines it cannot achieve the minimum requirements established in Subsection G of this section shall report to the commission on why it cannot meet those requirements and shall propose alternative requirements based on acquiring all cost-effective and achievable energy efficiency and load management resources. If the commission determines, after hearing, that the minimum requirements of Subsection G of this section exceed the achievable amount of energy efficiency and load management available to the utility, the commission shall establish lower minimum energy savings requirements for the utility based on the maximum amount of energy efficiency and load management that it determines can be achieved."

Chapter 24 Section 7 Laws 2008

Section 7. Section 62-17-6 NMSA 1978 (being Laws 2005, Chapter 341, Section 6, as amended) is amended to read:

"62-17-6. COST RECOVERY.--

A. A public utility that undertakes cost-effective energy efficiency and load management programs shall have the option of recovering its prudent and reasonable costs along with commission-approved incentives for demand-side resources and load management programs implemented after the effective date of the Efficient Use of Energy Act through an approved tariff rider or in base rates, or by a combination of the two. Program costs and incentives may be deferred for future recovery through creation of a regulatory asset. The only limit to the tariff rider or customer impact for any utility customer is that it shall not exceed seventy-five thousand dollars (\$75,000) per year without the customer's consent. Unless otherwise ordered by the commission, a tariff rider approved by the commission shall require language on customer bills explaining program benefits.

B. The tariff rider shall be applied on a monthly basis, unless otherwise allowed by the commission.

C. A tariff rider proposed by a public utility to fund approved energy efficiency and load management programs shall go into effect thirty days after filing, unless suspended by the commission for a period not to exceed one hundred eighty days. If the tariff rider is not approved or suspended within thirty days after filing, it shall be deemed approved as a matter of law. If the commission has not acted to approve or disapprove the tariff rider by the end of an ordered suspension period, it shall be deemed approved as a matter of law. The commission shall approve utility reconciliations of the tariff rider annually."

Chapter 24 Section 8 Laws 2008

Section 8. Section 62-17-8 NMSA 1978 (being Laws 2005, Chapter 341, Section 8) is amended to read:

"62-17-8. MEASUREMENT AND VERIFICATION.--

A. A public utility shall submit to the commission an annual report that provides information relating to the actions taken by the public utility to comply with the standards of the Efficient Use of Energy Act. The report shall include documentation of program expenditures, customer participation levels, estimated energy savings, demand reductions and customer monetary savings resulting from programs, evaluation of the cost-effectiveness of expenditures, evaluation of the cost-effectiveness of self-directed programs, a qualitative assessment of program effectiveness and any other information the commission may require pursuant to its rulemaking authority.

B. At least every three years, a public utility shall submit to the commission a comprehensive measurement, verification and program evaluation report prepared by an independent program evaluator. In preparing the report, the independent program evaluator shall measure and verify energy and demand savings, determine cost-effectiveness of the programs, assess the performance of the public utility in implementing energy efficiency and load management programs and, as appropriate, provide recommendations on how program performance can be improved.

C. The commission may direct a public utility to modify or terminate a particular energy efficiency or load management program if, after an adequate period for implementation of the program, the commission determines the program is not sufficiently meeting its goals and purposes. Termination of a program or programs shall be accomplished in a manner that allows the utility to fully recover its reasonable and prudent program costs."

Chapter 24 Section 9 Laws 2008

Section 9. Section 62-17-11 NMSA 1978 (being Laws 2005, Chapter 341, Section 11) is amended to read:

"62-17-11. DISTRIBUTION COOPERATIVE UTILITIES.--

A. Distribution cooperative utilities shall periodically examine the potential to assist their customers in reducing energy consumption or peak electricity demand in a cost-effective manner. Based on these studies, by January 1, 2009, distribution cooperative utilities shall establish energy efficiency and load management targets and begin to implement cost-effective energy efficiency and load management programs that are economically feasible and practical for their members and customers. Approval for such programs shall reside with the governing body of each distribution cooperative utility and not with the commission.

B. Each distribution cooperative utility shall file with the commission concurrently with its annual report, a report that describes all of the distribution cooperative utility's programs or measures that promote energy efficiency, conservation or load management. The report shall set forth the costs of each of the programs or measures for the previous calendar year and the resulting effect on the consumption of electricity. In offering or implementing energy efficiency, conservation or load management programs, a distribution cooperative utility shall attempt to minimize any cross-subsidies between customer classes.

C. Each distribution cooperative utility shall include in the report required by Subsection B of this section a description of all programs or measures to promote energy efficiency, conservation or load management that are planned and the anticipated date for implementation.

D. Costs resulting from programs or measures to promote energy efficiency, conservation or load management may be recovered by the distribution cooperative utility through its general rates. In requesting approval to recover such costs in general rates, the distribution cooperative utility may elect to use the procedure set forth in Subsection G of Section 62-8-7 NMSA 1978."

House Bill 305, with certificate

Approved February 27, 2008

LAWS 2008, CHAPTER 25

AN ACT

RELATING TO HOUSING; EXTENDING THE EXPENDITURE PERIOD AND CLARIFYING THE PURPOSE OF AN APPROPRIATION FOR AUDIT SERVICES; DECLARING AN EMERGENCY.

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

Chapter 25 Section 1 Laws 2008

Section 1. Laws 2007, Chapter 50, Section 8 is amended to read:

"Section 8. APPROPRIATION--ACCOUNTING OF ASSETS.--Two

hundred thousand dollars (\$200,000) is appropriated from the general fund to the state auditor for expenditure in fiscal years 2007 through 2009 for the purpose of conducting a complete financial audit of regional housing authorities. No later than December 1, 2008, the results of the audit shall be presented to the legislative finance committee, the Mortgage Finance Authority Act oversight committee and the department of finance and administration. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund."

Chapter 25 Section 2 Laws 2008

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

Senate Bill 8, as amended, with emergency clause

Approved February 28, 2008

LAWS 2008, CHAPTER 26

AN ACT

RELATING TO TAXATION; INCREASING THE INCOME LIMIT FOR ELIGIBILITY FOR THE LIMITATION ON PROPERTY TAX VALUATION OF A DWELLING OCCUPIED BY A PERSON SIXTY-FIVE YEARS OF AGE OR OLDER.

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

Chapter 26 Section 1 Laws 2008

Section 1. Section 7-36-21.3 NMSA 1978 (being Laws 2000, Chapter 21, Section 1, as amended) is amended to read:

"7-36-21.3. LIMITATION ON INCREASE IN VALUE FOR
SINGLE-FAMILY DWELLINGS OCCUPIED BY LOW-INCOME OWNERS
SIXTY-FIVE YEARS OF AGE OR OLDER OR DISABLED.--

A. For the 2001 and subsequent tax years, the valuation for property taxation purposes of a single-family dwelling owned and occupied by a person who is sixty-five years of age or older and whose modified gross income, as defined in the Income Tax Act, for the prior taxable year did not exceed the greater of eighteen thousand dollars (\$18,000) or the amount calculated pursuant to Subsection F of this section shall not be greater than the valuation of the property for property taxation purposes in the:

- (1) 2001 tax year;
- (2) year in which the owner's sixty-fifth birthday occurs, if that is after 2001; or
- (3) tax year following the tax year in which an owner who turns sixty-five or is sixty-five years of age or older first owns and occupies the property, if that is after 2001.

B. For the 2009 and subsequent tax years, the valuation for property taxation purposes of a single-family dwelling owned and occupied by a person who is sixty-five years of age or older or disabled and whose modified gross income, as defined in the Income Tax Act, for the prior taxable year did not exceed the greater of thirty-two thousand dollars (\$32,000) or the amount calculated pursuant to Subsection F of this section shall not be greater than the valuation of the property for property taxation purposes in:

- (1) the 2009 tax year, if the person owns and occupies the property in the 2009 tax year;
- (2) the tax year in which the owner's sixty-fifth birthday occurs, if that is after 2009; or
- (3) the tax year following the tax year in which an owner who is sixty-five years of age or older first owns and occupies the property, if that is after 2009.

C. For the 2003 and subsequent tax years, the valuation for property taxation purposes of a single-family dwelling owned and occupied by a person who is disabled and whose modified gross income, as defined in the Income Tax Act, for the prior taxable year did not exceed the greater of eighteen thousand dollars (\$18,000) or

the amount calculated pursuant to Subsection F of this section shall not be greater than the valuation of the property for property taxation purposes in the:

(1) 2003 tax year;

(2) year in which the owner is determined to be disabled, if that is after 2003; or

(3) tax year following the tax year in which an owner who is disabled or who is determined in that year to be disabled first owns and occupies the property, if that is after 2003.

D. An owner who is entitled to a limitation in valuation pursuant to more than one subsection of this section may designate the subsection pursuant to which the limitation shall be applied.

E. The limitation of value specified in Subsections A, B and C of this section shall be applied in a tax year in which the owner claiming entitlement files with the county assessor an application for the limitation on a form furnished to the owner by the assessor. The application form shall be designed by the department and shall provide for proof of age or disability, occupancy and income eligibility for the tax year for which application is made.

F. For the 2002 tax year and each subsequent tax year, the maximum amount of modified gross income in Subsections A, B and C of this section shall be adjusted to account for inflation. The department shall make the adjustment by multiplying the maximum amount for tax year 2000 by a fraction, the numerator of which is the consumer price index ending during the prior tax year and the denominator of which is the consumer price index ending in tax year 2000. The result of the multiplication shall be rounded down to the nearest one hundred dollars (\$100) except that if the result would be an amount less than the corresponding amount for the preceding tax year, then no adjustment shall be made. For purposes of this subsection, "consumer price index" means the consumer price index for all urban consumers published by the United States department of labor for the month ending September 30. The department shall publish annually the amount determined by the calculation and distribute it to each county assessor no later than December 1 of each tax year.

G. The limitation of value specified in Subsections A, B and C of this section does not apply to:

(1) a change in valuation resulting from any physical improvements made to the property during the year immediately prior to the tax year or a change in the permitted use or zoning of the property during the year immediately prior to the tax year; or

(2) a residential property in the first tax year that is valued for property taxation purposes.

H. As used in this section, "disabled" means a person who has been determined to be blind or permanently disabled with medical improvement not expected pursuant to 42USCA 421 for purposes of the federal Social Security Act or is determined to have a permanent total disability pursuant to the Workers' Compensation Act."

Senate Bill 116, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 27

AN ACT

RELATING TO TAXATION; ADDING A REPORTING REQUIREMENT; EXTENDING THE DATE FOR ELIGIBILITY.

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

Chapter 27 Section 1 Laws 2008

Section 1. Section 7-9G-1 NMSA 1978 (being Laws 2004, Chapter 15, Section 1, as amended) is amended to read:

"7-9G-1. HIGH-WAGE JOBS TAX CREDIT--QUALIFYING

HIGH-WAGE JOBS.--

A. A taxpayer who is an eligible employer may apply for, and the taxation and revenue department may allow, a tax credit for each new high-wage economic-based job. The credit provided in this section may be referred to as the "high-wage jobs tax credit".

B. The high-wage jobs tax credit may be claimed and allowed in an amount equal to ten percent of the wages and benefits distributed to an eligible employee in a new

high-wage economic-based job, but shall not exceed twelve thousand dollars (\$12,000).

C. The high-wage jobs tax credit may be claimed by an eligible employer for each new high-wage economic-based job performed for the year in which the new high-wage

economic-based job is created and for the three following qualifying periods.

D. A new high-wage economic-based job shall not be eligible for a credit pursuant to this section unless the eligible employer's total number of employees with new

high-wage economic-based jobs on the last day of the qualifying period at the location at which the job is performed or based is at least one more than the number on the day prior to the date the job was created.

E. With respect to each new high-wage

economic-based job for which an eligible employer seeks the high-wage jobs tax credit, the employer shall certify:

(1) the amount of wages paid to each eligible employee in a new high-wage economic-based job during each qualifying period;

(2) the number of weeks the position was occupied during the qualifying period;

(3) whether the new high-wage economic-based job was in a municipality with a population of forty thousand or more or with a population of less than forty thousand according to the most recent federal decennial census and whether the job was in the unincorporated area of a county; and

(4) the total number of employees employed by the employer at the job location on the day prior to the qualifying period and on the last day of the qualifying period.

F. To receive a high-wage jobs tax credit with respect to any qualifying period, an eligible employer shall apply to the taxation and revenue department on forms and in the manner prescribed by the department. The application shall include a certification made pursuant to Subsection E of this section.

G. The credit provided in this section may be deducted from the modified combined tax liability of a taxpayer. If the credit exceeds the modified combined tax liability of the taxpayer, the excess shall be refunded to the taxpayer.

H. The economic development department shall report to the appropriate interim legislative committee before November 1 of each year the cost of this tax credit to the state and its impact on company recruitment and job creation.

I. As used in this section:

(1) "benefits" means any employee benefit plan as defined in Title 1, Section 3 of the federal Employee Retirement Income Security Act of 1974, 29 U.S.C. 1002;

(2) "eligible employee" means an individual who is employed by an eligible employer and who is a resident of New Mexico; "eligible employee" does not include an individual who:

(a) bears any of the relationships described in Paragraphs (1) through (8) of 26 U.S.C. Section 152(a) to the employer or, if the employer is a corporation, to an individual who owns, directly or indirectly, more than fifty percent in value of the outstanding stock of the corporation or, if the employer is an entity other than a corporation, to an individual who owns, directly or indirectly, more than fifty percent of the capital and profits interest in the entity;

(b) if the employer is an estate or trust, is a grantor, beneficiary or fiduciary of the estate or trust or is an individual who bears any of the relationships described in Paragraphs (1) through (8) of 26 U.S.C. Section 152(a) to a grantor, beneficiary or fiduciary of the estate or trust;

(c) is a dependent, as that term is described in 26 U.S.C. Section 152(a)(9), of the employer or, if the taxpayer is a corporation, of an individual who owns, directly or indirectly, more than fifty percent in value of the outstanding stock of the corporation or, if the employer is an entity other than a corporation, of an individual who owns, directly or indirectly, more than fifty percent of the capital and profits interest in the entity or, if the employer is an estate or trust, of a grantor, beneficiary or fiduciary of the estate or trust; or

(d) is working or has worked as an employee or as an independent contractor for an entity that directly or indirectly owns stock in a corporation of the eligible employer or other interest of the eligible employer that represents fifty percent or more of the total voting power of that entity or has a value equal to fifty percent or more of the capital and profits interest in the entity;

(3) "eligible employer" means an employer that:

(a) made more than fifty percent of its sales to persons outside New Mexico during the most recent twelve months of the employer's modified combined tax liability reporting periods ending prior to claiming a

high-wage jobs tax credit; or

(b) is eligible for development training program assistance pursuant to Section 21-19-7 NMSA 1978;

(4) "modified combined tax liability" means the total liability for the reporting period for the gross receipts tax imposed by Section 7-9-4 NMSA 1978 together with any tax collected at the same time and in the same manner as the gross receipts tax, such as the compensating tax, the withholding tax, the interstate telecommunications gross receipts tax, the surcharges imposed by Section 63-9D-5 NMSA 1978 and the surcharge imposed by Section 63-9F-11 NMSA 1978, minus the amount of any credit other than the high-wage jobs tax credit applied against any or all of these taxes or surcharges; but "modified combined tax liability" excludes all amounts collected with respect to local option gross receipts taxes;

(5) "new high-wage economic-based job" means a job created by an eligible employer on or after

July 1, 2004 and prior to July 1, 2015 that is occupied for at least forty-eight weeks of a qualifying period by an eligible employee who is paid wages calculated for the qualifying period to be at least:

(a) forty thousand dollars (\$40,000) if the job is performed or based in a municipality with a population of forty thousand or more according to the most recent federal decennial census; and

(b) twenty-eight thousand dollars (\$28,000) if the job is performed or based in a municipality with a population of less than forty thousand according to the most recent federal decennial census or in the unincorporated area of a county;

(6) "qualifying period" means the period of twelve months beginning on the day an eligible employee begins working in a new high-wage economic-based job or the period of twelve months beginning on the anniversary of the day an eligible employee began working in a new high-wage

economic-based job; and

(7) "wages" means wages as defined in Paragraphs (1), (2) and (3) of 26 U.S.C. Section 51(c)."

Senate Bill 174, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 28

AN ACT

RELATING TO REAL PROPERTY; AMENDING THE UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT TO CORRECT AN INTERNAL REFERENCE.

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

Chapter 28 Section 1 Laws 2008

Section 1. Section 14-9A-5 NMSA 1978 (being Laws 2007, Chapter 261, Section 5) is amended to read:

"14-9A-5. ADMINISTRATION AND STANDARDS.--

A. The information technology commission and the state commission of public records, in consultation with the county clerks of New Mexico, shall adopt standards to implement the Uniform Real Property Electronic Recording Act.

B. To keep the standards and practices of county clerks in this state in harmony with the standards and practices of recording offices in other jurisdictions that enact substantially the Uniform Real Property Electronic

Recording Act and to keep the technology used by county clerks in this state compatible with technology used by recording offices in other jurisdictions that enact substantially the Uniform Real Property Electronic Recording Act, the information technology commission and the state commission of public records, in consultation with the county clerks of New Mexico, so far as is consistent with the purposes, policies and provisions of the Uniform Real Property Electronic Recording Act, in adopting, amending and repealing standards shall consider:

(1) standards and practices of other jurisdictions;

(2) the most recent standards promulgated by national standard-setting bodies, such as the property records industry association;

(3) the views of interested persons and governmental officials and entities;

(4) the needs of counties of varying size, population and resources; and

(5) standards requiring adequate information security protection to ensure that electronic documents are accurate, authentic, adequately preserved and resistant to tampering.

C. The secretary of state may adopt and promulgate rules to implement the provisions of Subsection C of Section 14-9A-3 NMSA 1978 by providing for the

electronic notarization, acknowledgment, verification, swearing or affirming under oath and other notarial acts by notaries public with respect to a document or signature."

Senate Bill 209

Approved February 28, 2008

LAWS 2008, CHAPTER 29

AN ACT

RELATING TO THE SALE OF RECYCLED METALS; ENACTING THE SALE OF RECYCLED METALS ACT; REGULATING THE SALE OF CERTAIN RECYCLED METALS; PROVIDING FOR PENALTIES.

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

Chapter 29 Section 1 Laws 2008

Section 1. SHORT TITLE.--This act may be cited as the "Sale of Recycled Metals Act".

Chapter 29 Section 2 Laws 2008

Section 2. DEFINITIONS.--As used in the Sale of Recycled Metals Act:

A. "aluminum material" means a product made from aluminum, an aluminum alloy or an aluminum byproduct. "Aluminum material" includes an aluminum beer keg but does not include other types of aluminum cans used to contain a food or beverage;

B. "bronze material" means:

- (1) a cemetery vase, receptacle or memorial made from bronze;
- (2) bronze statuary; and
- (3) material readily identifiable as bronze;

C. "business day" means any calendar day except Sunday or the following business holidays: New Year's day, Washington's birthday, Memorial day, Independence day, Labor day, Columbus day, Veterans' day, Thanksgiving day,

Christmas day, Martin Luther King, Jr.'s birthday and any other legal public holiday of the state of New Mexico or the United States;

D. "copper or brass material" means:

(1) insulated or noninsulated copper wire, hardware or cable of the type used by a public utility, commercial mobile radio service carrier or common carrier that consists of at least twenty-five percent copper; and

(2) a copper or brass item of a type commonly used in construction or by a public utility, commercial mobile radio service carrier or common carrier;

E. "department" means the regulation and licensing department;

F. "peace officer" means any full-time salaried and commissioned or certified law enforcement officer of a police or sheriff's department that is part of or administered by the state or any political subdivision of the state;

G. "personal identification document" means:

(1) a driver's license;

(2) a military identification card;

(3) a passport issued by the United States or by another country and recognized by the United States; and

(4) a personal identification certificate issued by the department, or a corresponding card or certificate issued by another state;

H. "regulated material" means:

(1) aluminum material;

(2) bronze material;

(3) copper or brass material; and

(4) steel material;

I. "secondhand metal dealer" means:

(1) an auto wrecker, a scrap metal processor or other person that purchases, collects or solicits regulated material; and

(2) a person who operates or maintains a scrap metal yard or other place in which scrap metal or cast-off regulated material is collected or kept for shipment, sale or transfer;

J. "steel material" means a product made from an alloy of iron, chromium, nickel or manganese, including stainless steel beer kegs; and

K. "superintendent" means the superintendent of regulation and licensing.

Chapter 29 Section 3 Laws 2008

Section 3. NOTICE TO SELLERS.--

A. A secondhand metal dealer shall at all times maintain in a prominent place in the dealer's place of business, in open view to a seller of regulated material, a notice in two-inch lettering that:

(1) includes the following language:

"A PERSON ATTEMPTING TO SELL REGULATED MATERIAL MUST PRESENT SUFFICIENT IDENTIFICATION AS REQUIRED BY STATE LAW.

WARNING: STATE LAW PROVIDES A CIVIL FINE FOR A PERSON WHO INTENTIONALLY PROVIDES A FALSE DOCUMENT OF IDENTIFICATION OR OTHER FALSE INFORMATION TO A SECONDHAND METAL DEALER WHILE ATTEMPTING TO SELL REGULATED MATERIAL."; and

(2) states the secondhand metal dealer's usual business hours.

B. The notice required by this section may be contained on a sign that contains another notice if the secondhand metal dealer is required to display another notice pursuant to applicable law.

Chapter 29 Section 4 Laws 2008

Section 4. INFORMATION PROVIDED BY SELLER.--

A. A person attempting to sell regulated material to a secondhand metal dealer shall:

(1) display to the secondhand metal dealer the person's personal identification document;

(2) sign a written statement provided by the secondhand metal dealer that the person is the legal owner of or is lawfully entitled to sell the regulated material offered for sale; and

(3) provide to the secondhand metal dealer the year, make, model and license plate number of the motor vehicle used to transport the regulated material.

B. The secondhand metal dealer or the dealer's agent shall visually verify the accuracy of the personal identification document and vehicle identification presented by the seller at the time of the dealer's purchase of regulated material.

Chapter 29 Section 5 Laws 2008

Section 5. RECORD OF PURCHASE.--

A. A secondhand metal dealer in this state shall keep an accurate and legible written record, in a form approved by the department, of each purchase made in the course of the dealer's business from a person of:

(1) copper or brass material;

(2) bronze material;

(3) aluminum material in excess of ten pounds; or

(4) steel material in excess of one ton, except that a written record shall be kept of each purchase of a stainless steel beer keg.

B. The record shall be in English and shall include:

(1) the place and date of the purchase;

(2) the name and address of each person from whom the regulated material is purchased or obtained;

(3) the identifying number of the personal identification document of each person from whom the regulated material is purchased or obtained;

(4) the year, make, model and license plate number of the motor vehicle used to transport the regulated material;

(5) a description made in accordance with the custom of the trade of the type and quantity of regulated material purchased; and

(6) the statement required by Paragraph (2) of Subsection A of Section 4 of the Sale of Recycled Metals Act.

Chapter 29 Section 6 Laws 2008

Section 6. PRESERVATION OF RECORDS.--A secondhand metal dealer shall preserve each record required by Section 5 of the Sale of Recycled Metals Act until the third anniversary of the date the record was made.

Chapter 29 Section 7 Laws 2008

Section 7. INSPECTION OF RECORDS BY PEACE OFFICERS AND DEPARTMENT.--

A. Upon request, a secondhand metal dealer shall produce to a peace officer or an authorized employee of the department during the dealer's usual business hours the requested record of purchase as required by Section 5 of the Sale of Recycled Metals Act.

B. The inspecting peace officer or authorized employee of the department shall inform the secondhand metal dealer of the person's status as a peace officer or authorized employee of the department.

Chapter 29 Section 8 Laws 2008

Section 8. FURNISHING OF REPORT TO DEPARTMENT.--Not later than the second business day after the date of the purchase or other acquisition of regulated material for which a record is required pursuant to Section 5 of the Sale of Recycled Metals Act, a secondhand metal dealer shall mail to or file with the department a report containing the information required to be recorded pursuant to that section.

Chapter 29 Section 9 Laws 2008

Section 9. PUBLIC DATABASE.--The department shall establish and maintain an electronic database containing the records required to be preserved pursuant to Section 6 of the Sale of Recycled Metals Act, which database shall be accessible to the public. Records received by the department pursuant to Section 8 of the Sale of Recycled Metals Act shall be available in the database by the end of the second business day following receipt by the department.

Chapter 29 Section 10 Laws 2008

Section 10. POWERS AND DUTIES OF SUPERINTENDENT.--The superintendent has authority to promulgate reasonable regulations for the administration and enforcement of the Sale of Recycled Metals Act and is expressly authorized to make regulations regarding records of purchase of regulated material and the public database required pursuant to that act.

Chapter 29 Section 11 Laws 2008

Section 11. WAITING PERIOD FOR DISPOSAL OF REGULATED MATERIAL.-- A secondhand metal dealer shall not process or permit to be removed from the dealer's premises regulated material until the fifth business day after the date on which the dealer acquired the regulated material.

Chapter 29 Section 12 Laws 2008

Section 12. PROHIBITED ACTS.--A person shall not, with the intent to deceive:

A. display to a secondhand metal dealer a false or invalid personal identification document in connection with the person's attempted sale of regulated material; or

B. make a false material statement or representation to a secondhand metal dealer in connection with:

(1) that person's execution of a written statement required by Subsection A of Section 4 of the Sale of Recycled Metals Act; or

(2) the dealer's efforts to obtain the information required pursuant to Subsection B of Section 5 of the Sale of Recycled Metals Act.

Chapter 29 Section 13 Laws 2008

Section 13. CIVIL PENALTY.--

A. A person who violates any provision of the Sale of Recycled Metals Act may be assessed a civil penalty by the superintendent not to exceed one thousand dollars (\$1,000) per violation.

B. Prior to the imposition of a civil penalty, the person being penalized shall be afforded notice and an opportunity to be heard by the superintendent pursuant to the pertinent notice and hearing provisions of the Uniform Licensing Act.

Chapter 29 Section 14 Laws 2008

Section 14. SEVERABILITY.--If any part or application of the Sale of Recycled Metals Act is held invalid, the remainder or its application to other situations or persons shall not be affected.

Chapter 29 Section 15 Laws 2008

Section 15. APPLICABILITY.--The provisions of the Sale of Recycled Metals Act shall not apply to a purchase of regulated material from a manufacturing, industrial or other commercial vendor that sells regulated material in the ordinary course of the vendor's business.

Chapter 29 Section 16 Laws 2008

Section 16. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2009.

SJC/Senate Bill 281, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 30

AN ACT

RELATING TO CERTIFIED PUBLIC ACCOUNTANTS; PERMITTING CERTIFIED PUBLIC ACCOUNTANTS LICENSED IN ANOTHER STATE TO PERFORM SERVICES IN NEW MEXICO; AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

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

Chapter 30 Section 1 Laws 2008

Section 1. Section 61-28B-3 NMSA 1978 (being Laws 1999, Chapter 179, Section 3, as amended) is amended to read:

"61-28B-3. DEFINITIONS.--As used in the 1999 Public Accountancy Act:

A. "attest" means to provide the following financial statement services:

(1) an audit or other engagement performed in accordance with the statements on auditing standards;

(2) a review of a financial statement performed in accordance with the statement on standards for accounting and review services;

(3) an examination of prospective financial information performed in accordance with the statements on standards for attestation engagements; and

(4) an engagement to be performed in accordance with the auditing standards of the public company accounting oversight board;

B. "board" means the New Mexico public accountancy board;

C. "certificate" means the legal recognition issued to identify a certified public accountant or a registered public accountant pursuant to the 1999 Public Accountancy Act or prior law;

D. "certified public accountant" means a person certified by this state or by another state to practice public accountancy and use the designation;

E. "contingent fee" means a fee established for the performance of a service pursuant to an arrangement in which no fee will be charged unless a specific finding or result is attained or upon which the amount of the fee is dependent upon a finding or result. "Contingent fee" does not mean a fee set by the court or a public authority on a tax matter;

F. "director" means the executive director of the board;

G. "firm" means a sole proprietorship, professional corporation, partnership, limited liability company, limited liability partnership or other legal business entity that practices public accountancy;

H. "licensee" means a certified public accountant, certified public accountant firm, registered public accountant or registered public accountant firm;

I. "peer review" means a study, appraisal or review of one or more aspects of the professional work of a firm by a certified public accountant who is not affiliated with the firm being reviewed;

J. "permit" means the annual authority granted to practice as a certified public accountant firm or a registered public accountant firm;

K. "practice" means performing or offering to perform public accountancy for a client or potential client by a person who makes a representation to the public as being a permit holder or registered firm;

L. "public accountancy" means the performance of one or more kinds of services involving accounting or auditing skills, including the issuance of reports on financial statements, the performance of one or more kinds of management, financial advisory or consulting services, the preparation of tax returns or the furnishing of advice on tax matters;

M. "registered public accountant" means a person who is registered by the board to practice public accountancy and use the designation;

N. "report" means an opinion or other writing that:

(1) states or implies assurance as to the reliability of any financial statements;

(2) includes or is accompanied by a statement or implication that the person issuing it has special knowledge or competency in accounting or auditing indicated by the use of names, titles or abbreviations likely to be understood to identify the author of the report as a licensee; and

(3) includes the following types of reports as they are defined by board rule:

(a) a compilation report;

(b) a review report; or

(c) an audit report; and

O. "substantial equivalency" means a determination by the board that the education, examination and experience requirements for certification of another jurisdiction are comparable to or exceed the requirements of Paragraph (1) of Subsection A of Section 61-28B-26 NMSA 1978."

Chapter 30 Section 2 Laws 2008

Section 2. Section 61-28B-8 NMSA 1978 (being Laws 1999, Chapter 179, Section 8, as amended) is amended to read:

"61-28B-8. QUALIFICATIONS FOR A CERTIFICATE AS A CERTIFIED PUBLIC ACCOUNTANT.--

A. An applicant for a certificate shall complete the application form provided by the board and demonstrate to the board's satisfaction that the applicant:

(1) is of good moral character and lacks a history of dishonest or felonious acts; and

(2) meets the education, experience and examination requirements of the board.

B. The board may refuse to grant a certificate on the ground that the applicant failed to satisfy the requirement of good moral character.

C. After July 1, 2008, the education requirement for examination shall be a baccalaureate degree or its equivalent conferred by a college or university acceptable to

the board, with thirty semester hours in accounting or the equivalent as determined by the board. An applicant for a certificate shall have at least one hundred fifty semester hours of college education or its equivalent earned at a college or university acceptable to the board.

D. The examination for certification shall be offered via a computer-based testing system at least four times per year at a designated testing center and shall test an applicant's knowledge of the subjects of accounting and auditing and other related subjects as prescribed by the board. The board shall prescribe the method of applying for the examination and the dissemination of scores, and it shall rely on the American institute of certified public accountants for the grading of the examination. The board may use all or any part of the uniform certified public accountant examination services of the national association of state boards of accountancy to perform administrative services with respect to the examination. The board or its designee shall report all eligibility and score data to the national candidate database, and it shall, to the extent possible, provide that the passing scores are uniform with passing scores of other states.

E. An applicant must pass all sections of the examination to qualify for a certificate. A passing scaled score for each section shall be seventy-five. Sections may be taken individually and in any order. An applicant may not take a failed test section within the same three-month examination window. Credit for any section passed shall be valid for eighteen months from the actual date the applicant took that section, without having to attain a minimum score on any failed test section and without regard to whether the applicant has taken other test sections. An applicant must pass all four test sections within a continuous

eighteen-month period, which begins on the date that the first section passed is taken. If all four test sections are not passed within the continuous eighteen-month period, credit for any test section passed outside the eighteen-month period will expire, and that test section must be retaken.

F. An applicant who has passed at least two sections of the paper and pencil examination, as of the launch date of the computer-based examination, will retain credit for the corresponding test sections of the

computer-based examination.

G. An applicant who has passed at least two sections of the paper and pencil examination, as of the launch date of the computer-based examination, shall be given a transition period to complete any remaining test sections of the computer-based examination.

H. An applicant shall be given credit for examination sections passed in another state if such credit would have been given in New Mexico.

I. The board may waive or defer requirements of this section regarding the circumstances in which sections of the examination must be passed, upon a showing that, by reason of circumstances beyond the applicant's control, the applicant was unable to meet the requirement.

J. An applicant for initial issuance of a certified public accountant certificate shall show that the applicant has had at least one year of experience. This experience shall include providing service or advice involving the use of accounting, attest, management advisory, financial advisory, tax or consulting skills as verified by a certified public accountant who meets requirements prescribed by the board. The experience is acceptable if it was gained through employment in government, industry, academia or public practice."

Chapter 30 Section 3 Laws 2008

Section 3. Section 61-28B-11 NMSA 1978 (being Laws 1999, Chapter 179, Section 11) is amended to read:

"61-28B-11. CERTIFICATES ISSUED TO HOLDERS OF A CERTIFICATE, LICENSE OR PERMIT ISSUED BY ANOTHER STATE.--

A. The board may issue a certificate to a holder of a certificate, license or permit issued by another state upon a showing that the applicant:

(1) passed the examination required for issuance of the applicant's certificate with grades that would have been passing grades at the time in New Mexico;

(2) passed the examination upon which the applicant's out-of-state certificate was based and has two years of experience acceptable to the board or meets equivalent requirements prescribed by board rule, within the ten years immediately preceding the application; and

(3) if the applicant's certificate, license or permit was issued more than four years prior to application, has fulfilled the board's requirements of continuing professional education.

B. A person licensed by another state who wishes to establish a principal place of business in New Mexico shall apply to the board for a certificate prior to establishing the business. The board may issue a certificate to the person if the person provides proof from a

board-approved national qualification appraisal service that the person's certified public accountant qualifications are substantially equivalent to the certified public accountant certification requirements of Paragraph (1) of Subsection A of Section 61-28B-26 NMSA 1978.

C. The board may issue a certificate to a holder of a substantially equivalent foreign designation; provided that:

(1) the foreign authority that granted the designation makes similar provision to allow a person who holds a valid certificate issued by New Mexico to obtain such foreign authority's comparable designation;

(2) the foreign designation:

(a) was duly issued by a foreign authority that regulates the practice of public accountancy and the foreign designation has not expired or been revoked or suspended;

(b) entitles the holder to issue reports upon financial statements; and

(c) was issued upon the basis of educational, examination and experience requirements established by the foreign authority or by law; and

(3) the applicant:

(a) received the designation based on educational and examination standards substantially equivalent to those in effect in New Mexico at the time the foreign designation was granted;

(b) completed an experience requirement in the jurisdiction that granted the foreign designation that is substantially equivalent to the requirement provided for in the 1999 Public Accountancy Act or has completed four years of professional experience in New Mexico or meets equivalent requirements prescribed by the board within the ten years immediately preceding the application; and

(c) passed a uniform qualifying examination on national standards and an examination on the laws, rules and code of ethical conduct in effect in New Mexico that is acceptable to the board.

D. An applicant for initial issuance or renewal of a certificate pursuant to this section shall list all foreign and domestic jurisdictions in which the applicant has applied for or holds a designation to practice public accountancy. The applicant shall also list any past denial, revocation or suspension of a certificate, license or permit. An applicant or certificate holder shall notify the board in writing, within thirty days of the occurrence of any issuance, denial, revocation or suspension of a designation or commencement of a disciplinary or enforcement action by any jurisdiction.

E. The board has the sole authority to interpret the application of the provisions of this section."

Chapter 30 Section 4 Laws 2008

Section 4. Section 61-28B-13 NMSA 1978 (being Laws 1999, Chapter 179, Section 13, as amended) is amended to read:

"61-28B-13. FIRM PERMITS TO PRACTICE, ATTEST EXPERIENCE, PEER REVIEW.--

A. The board may grant or renew a permit to practice as a certified public accountant firm to an applicant that demonstrates its qualifications in accordance with this section.

B. A permit issued pursuant to this section shall be required for the following:

(1) a firm with an office in New Mexico performing attest services as defined by the 1999 Public Accountancy Act;

(2) a firm with an office in New Mexico that uses the title "CPA" or "CPA firm"; or

(3) a firm that does not have an office in New Mexico but performs attest services for a client whose principal place of business is in New Mexico.

C. A firm without an office in New Mexico may perform services described in Paragraph (2) of Subsection A of Section 61-28B-3 NMSA 1978 for a client whose principal place of business is in New Mexico and may use the title "CPA" or "CPA firm" without a permit issued pursuant to this section only if:

(1) it performs services through a person with practice privileges under Section 61-28B-26 NMSA 1978;

(2) a simple majority of the ownership of the firm belongs to holders of a certificate who are licensed in some state pursuant to Paragraph (1) of Subsection H of this section; and

(3) the firm has undergone a peer review pursuant to Subsection L of this section.

D. A firm not subject to the requirements of Subsection B or C of this section may perform other professional services while using the title "CPA" or "CPA firm" in New Mexico without a permit issued pursuant to this section only if:

(1) the firm performs services through a person with practice privileges pursuant to Section 61-28B-26 NMSA 1978; and

(2) the firm can lawfully perform services in the state that is the firm's principal place of business.

E. Permits shall be issued and renewed for periods of not more than two years, expiring on June 30 of the year of expiration. Failure to pay the renewal fee shall be cause for the board to withhold renewal of a permit without prior hearing pursuant to the provisions of the Uniform Licensing Act. If the renewal fee and delinquency fee are not paid within ninety days after the expiration of the permit, the permit shall be subject to cancellation. A firm whose permit has been canceled for failure to pay the annual renewal fee may secure reinstatement of the permit upon application and payment of the renewal fee and upon approval by the board.

F. The board shall grant or deny an application for a permit no later than ninety days after the complete application is filed.

G. If an applicant appeals the decision of the board to deny a permit, the board may issue a provisional permit for no longer than ninety days while the board reconsiders its decision.

H. An applicant for initial issuance or renewal of a permit shall demonstrate that:

(1) a simple majority of the ownership of the firm, in terms of financial interests, profits, losses, dividends, distributions, options, redemptions and voting rights of all partners, officers, shareholders, members or managers, belongs to holders of a certificate who are licensed in some state. A partner, officer, shareholder, member or manager, whose principal place of business is in New Mexico, and who performs professional services in New Mexico, must hold a valid certificate. The firm and all owners must comply with the 1999 Public Accountancy Act. A person with practice privileges pursuant to Section 61-28B-26 NMSA 1978 who performs services for which a permit is required pursuant to this section shall not be required to obtain a certificate from New Mexico pursuant to Section

61-28B-9 NMSA 1978. A firm may include owners who are not certificate holders; provided that:

(a) the firm designates a New Mexico certificate holder, or in the case of a firm that must have a permit, a licensee of another state who meets the requirements of Subsection A of Section 61-28B-26 NMSA 1978, who is responsible for the proper registration of the firm and identifies that person to the board;

(b) all owners who are not certificate holders are active participants in the certified public accountant firm or registered public accountant firm or affiliated entities; and

(c) the firm complies with the 1999 Public Accountancy Act;
and

(2) a certificate holder, or a person qualifying for practice privileges pursuant to Section

61-28B-26 NMSA 1978, who is responsible for supervising attest services or signs or authorizes someone to sign the accountant's report on the financial statements on behalf of the firm meets the experience requirements set out in the professional standards for such services.

I. An applicant for initial issuance or renewal of a permit shall be required to register each office of the firm within New Mexico with the board and to show that all attest services rendered in this state are under the charge of a person holding a valid certificate issued pursuant to the 1999 Public Accountancy Act or the corresponding provision of prior law or by some other state.

J. An applicant for initial issuance or renewal of a permit shall list all foreign and domestic jurisdictions in which it has applied for or holds permits as a certified public accountant firm and list any past denial, revocation or suspension of a permit by any jurisdiction. Each permit holder or applicant shall notify the board in writing, within thirty days of the occurrence of a change in the identities of partners, officers, shareholders, members or managers whose principal place of business is in this state, a change in the number or location of offices within this state, a change in the identity of the persons in charge of such offices and any issuance, denial, revocation or suspension of a permit by another jurisdiction.

K. A firm that falls out of compliance with the provisions of the 1999 Public Accountancy Act due to changes in firm ownership or personnel shall take corrective action to bring the firm back into compliance as quickly as possible. The board may grant a six-month period for a firm to take the corrective action. Failure to bring the firm back into compliance within six months shall result in the suspension or revocation of the firm permit.

L. As a condition to permit renewal, the board shall require the applicant to undergo a peer review conducted in accordance with board rules. The review shall include a verification that a person in the firm, or a person qualifying for practice privileges pursuant to Section

61-28B-26 NMSA 1978, who is responsible for supervising attest services and signs or authorizes someone to sign the accountant's report on the financial statements on behalf of the firm meets the experience requirements set out in the professional standards for the services as required by the board.

M. If a partner, shareholder or member is a legal business entity, that legal business entity must be a firm.

N. Attest services may only be provided by a certificate holder or a member of a firm that satisfies the requirements of this section. Attest services may not be performed by a certificate holder who is a member of a firm that does not meet the certificate holder's ownership requirements set forth in this section."

Chapter 30 Section 5 Laws 2008

Section 5. Section 61-28B-17 NMSA 1978 (being Laws 1999, Chapter 179, Section 17, as amended) is amended to read:

"61-28B-17. ENFORCEMENT--UNLAWFUL ACTS.--

A. Except as otherwise provided in the 1999 Public Accountancy Act, it is unlawful for a person to engage in practice in New Mexico unless the person is a licensee.

B. Except as otherwise provided in the 1999 Public Accountancy Act, no person shall issue a report or financial statement for a person or a governmental unit or issue a report using any form of language conventionally used respecting an audit or review of financial statements, unless the person holds a current license or permit. The state auditor and the state auditor's auditing staff are considered to be in the practice of public accountancy.

C. With the exception of persons cited in Section 61-28B-18 NMSA 1978, a person who prepares a financial accounting and related statements and who is not the holder of a certificate or a permit under the provisions of that act shall use the following statement in the transmittal letter: "I (we) have prepared the accompanying financial statements of (name of entity) as of (time period) and for the (time period) ending (date). This presentation is limited to preparing in the form of financial statements information that is the representation of management (owners). I (we) have not audited or reviewed the accompanying financial statements and accordingly do not express an opinion or any other form of assurance on them."

D. No person shall indicate by title, designation, abbreviation, sign, card or device that the person is a certified public accountant or a registered public accountant unless the person is currently certified by the board pursuant to the 1999 Public Accountancy Act or is a firm currently permitted by the board pursuant to that act. Unless the person is a holder of a current certificate or permit, no person shall use any title, initials or designation intended to or substantially likely to indicate to the public that the person is a certified public accountant or registered public accountant.

E. No person shall engage in practice unless:

(1) the person holds a valid certificate or current permit; or

(2) the person is an employee supervised by a licensee pursuant to Section 61-28B-18 NMSA 1978 and not a partner, officer, shareholder or member of a firm.

F. No person or firm holding a certificate or permit shall engage in practice using a professional or firm name or designation that is misleading about the legal form of the firm; provided, however, that names of one or more former partners, shareholders or members may be included in the name of a firm or its successors.

G. No person shall sell, offer to sell or fraudulently obtain or furnish any certificate or permit nor shall the person fraudulently register as a certified public accountant or registered public accountant or practice in this state without being granted a certificate or permit as provided in the 1999 Public Accountancy Act.

H. A licensee or the licensee's firm shall not receive a commission to recommend or refer a product or service to a client or to recommend to anyone else a product or service to be supplied by a client during the period the licensee or the licensee's firm is engaged to perform the following services for that client and during the period covered by any historical financial statements involved in the services:

(1) an audit or review of a financial statement;

(2) a compilation of a financial statement when the licensee expects or might reasonably expect that a third party will use the financial statement, and the compilation report does not disclose the lack of independence by the licensee; or

(3) an examination of prospective financial information.

I. A licensee or the licensee's firm that is not prohibited from receiving a commission by Subsection H of this section and that is paid or expects to be paid a commission shall disclose that fact in writing to the person for whom the licensee or the licensee's firm performs a service or refers or recommends a product or service. A licensee or firm that accepts or pays a referral fee for a service or to obtain a client shall disclose such acceptance or payment to the client in writing.

J. A licensee or the licensee's firm shall not charge or receive a contingent fee for a client for whom the licensee or the licensee's firm performs the following services:

(1) an audit or review of a financial statement;

(2) a compilation of a financial statement when the licensee expects or reasonably might expect that a third party will use the financial statement and the compilation report does not disclose a lack of independence;

(3) an examination of prospective financial information; or

(4) preparation of an original or amended tax return or claim for tax refund, except in the case of federal, state or other taxes in which the findings are those of the tax authorities and not those of the licensee or in the case of professional services for which fees are to be fixed by courts or other public authorities and that are therefore indeterminate in amount at the time the professional services are undertaken.

K. No licensee shall sign or certify any financial statements if the licensee knows the same to be materially false or fraudulent.

L. For the purposes of this section, a person with practice privileges pursuant to Section 61-28B-26 NMSA 1978 shall be substantially equivalent to a certificate holder pursuant to Section 61-28B-9 NMSA 1978. Terms or references that refer to a certificate holder pursuant to

Section 61-28B-9 NMSA 1978 shall include a person with practice privileges pursuant to Section 61-28B-26 NMSA 1978.

M. For the purposes of this section, a firm practicing under Subsection C or D of Section 61-28B-13 NMSA 1978 may perform the services specified by the applicable provisions of the 1999 Public Accountancy Act and may use the terms "CPA" or "CPA firm" without obtaining a permit. Terms or references that refer to a firm holding a permit pursuant to Subsection B of Section 61-28B-13 NMSA 1978 shall include a firm practicing pursuant to Subsection C or D of Section 61-28B-13 NMSA 1978."

Chapter 30 Section 6 Laws 2008

Section 6. Section 61-28B-26 NMSA 1978 (being Laws 1999, Chapter 179, Section 26) is amended to read:

"61-28B-26. PRACTICE PRIVILEGE AND DISCIPLINE FOR A CERTIFICATE HOLDER FROM A STATE WHOSE ACCOUNTANCY STATUTE IS SUBSTANTIALLY EQUIVALENT.--

A. A person whose principal place of business is not in New Mexico shall be presumed to have qualifications substantially similar to New Mexico's requirements and may exercise all the practice privileges of certificate holders of New Mexico without the need to obtain a certificate pursuant to Section 61-28B-9 NMSA 1978 if the person:

(1) holds a valid license as a certified public accountant from any state that requires, as a condition of licensure, that a person:

(a) have at least one hundred fifty semester hours of college education, including a baccalaureate or higher degree conferred by a college or university acceptable to the board;

(b) achieve a passing grade on the uniform certified public accountant examination; and

(c) possess at least one year of experience, including providing any type of service or advice involving the use of accounting, attest, compilation, management advisory, financial advisory, tax or consulting skills, which may be obtained through government, industry, academic or public practice, all of which can be verified by a licensee; or

(2) holds a valid license as a certified public accountant from any state that does not meet the requirements of Paragraph (1) of Subsection A of this section, but the person's certified public accountant qualifications are substantially equivalent to those requirements. A person who passed the uniform certified public accountant examination and holds a valid license issued by any other state prior to January 1, 2012 may be exempt from the education requirement in Subparagraph (a) of Paragraph (1) of this subsection.

B. Notwithstanding any other provision of law, a person who qualifies for the practice privilege pursuant to this section may offer or render professional services whether in person or by mail, telephone or electronic means, and no notice, fee or other submission shall be required of the person.

C. A person licensed in another state exercising the practice privilege afforded pursuant to this section and the firm that employs the licensee simultaneously shall consent, as a condition of exercising the practice privilege:

(1) to submit to the personal and subject-matter jurisdiction and disciplinary authority of the board;

(2) to comply with the 1999 Public Accountancy Act and the rules adopted by the board;

(3) to cease offering or rendering professional attest services in New Mexico in the event the license from the state of the person's principal place of business is no longer valid; and

(4) to the appointment of the state board that issued the license as agent upon whom process may be served in any action or proceeding by the New Mexico public accountancy board against the licensee.

D. A certificate or permit holder of New Mexico that offers or renders an attest service or uses its certified public accountant title in another state shall be subject to disciplinary action in New Mexico for an act committed in another state for which it would be subject to discipline in the other state. Notwithstanding the provisions of

Sections 61-28B-15 and 61-28B-16 NMSA 1978, the board shall investigate any complaint made by the board of accountancy in another state."

Chapter 30 Section 7 Laws 2008

Section 7. REPEAL.--Section 61-28B-10 NMSA 1978 (being Laws 1999, Chapter 179, Section 10) is repealed.

Senate Bill 353, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 31

AN ACT

RELATING TO MOTOR VEHICLES; IMPOSING A PENALTY ASSESSMENT FOR FAILURE TO COMPLY WITH WEIGHT DISTANCE TAX ACT REQUIREMENTS.

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

Chapter 31 Section 1 Laws 2008

Section 1. Section 66-8-116.2 NMSA 1978 (being Laws 1989, Chapter 319, Section 13, as amended) is amended to read:

"66-8-116.2. PENALTY ASSESSMENT MISDEMEANORS--MOTOR CARRIER ACT.--As used in the Motor Vehicle Code and the Motor Carrier Act, "penalty assessment misdemeanor" means, in addition to the definitions of that term in Sections 66-8-116 and 66-8-116.1 NMSA 1978, violation of the following listed sections of the NMSA 1978 for which, except as provided in Subsection E of this section, the listed penalty is established:

A. GENERAL

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
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Failure to register		
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motor carrier 66-3-1.1		\$300.00
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Failure to carry tax		
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identification

permit 65-1-26 300.00

Failure of motor carrier

to comply with weight distance

requirements of the Weight

Distance Tax Act 65-1-26

(1) first conviction 300.00

(2) second conviction, within
ten years of the first conviction 500.00

(3) third or subsequent
conviction, within ten years of the
first conviction 1,000.00

Failure to comply with

public regulation

commission rules and

regulations 65-2A-7 50.00

Failure to

carry single state

registration receipt issued

by a base state 65-2A-7 50.00

Failure to register with

a base state under the Federal

Unified Carrier Registration Act

of 2005 65-2A-16 50.00

Failure to stop at

designated

registration place 65-5-1 100.00

Failure to obtain

proper clearance

certificates 65-5-3 100.00.

B. VEHICLE OUT-OF-SERVICE VIOLATIONS

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
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Absence of braking action	65-3-9	\$100.00
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Damaged brake lining or pads	65-3-9	50.00
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Loose or missing brake

components	65-3-12	100.00
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Inoperable breakaway braking

system	65-3-12	50.00
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Defective or damaged brake

tubing	65-3-12	50.00
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Inoperative low pressure

warning device	65-3-9	50.00
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Reservoir pressure not

maintained	65-3-12	100.00
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Inoperative tractor

protection valve	65-3-9	100.00
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Damaged or loose air

compressor 65-3-12 100.00

Audible air leak at brake

chamber 65-3-12 50.00

Defective safety devices--

chains or hooks 65-3-9 100.00

Defective towing or coupling

devices 65-3-9 100.00

Defective exhaust systems 65-3-9 30.00

Frame defects--trailers 65-3-12 100.00

Frame defects--other 65-3-9 100.00

Defective fuel systems 65-3-9 50.00

Missing or inoperative

lamps 65-3-9 25.00

Missing lamps on projecting

loads 65-3-9 50.00

Missing or inoperative

turn signal 65-3-9 25.00

Unsafe loading 65-3-8 100.00

Possession of radar detector

in commercial motor carrier

vehicle 65-3-8 100.00

Possession of alcoholic

beverage in commercial

motor carrier vehicle 65-3-8200.00

Excessive steering wheel

play 65-3-9100.00

Steering column defects 65-3-9 100.00

Steering box or steering

system defects 65-3-9100.00

Suspension system defects 65-3-950.00

Defective springs or spring

assembly 65-3-950.00

Defective tires--steering

axle 65-3-9100.00

Defective tires--other axles 65-3-930.00

Defective wheels and rims 65-3-950.00

Defective or missing

windshield wipers 65-3-930.00

Defective or inoperative

emergency exit--bus 65-3-9100.00.

C. DRIVER OUT-OF-SERVICE VIOLATIONS

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
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Driver's age	65-3-7	\$30.00
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Driver not licensed for

type of vehicle being

operated 65-3-7 30.00

Failure to have valid

commercial driver's license

in possession 66-5-59 30.00

No waiver of physical

disqualification

in possession 65-3-7 30.00

Sickness or fatigue 65-3-8 100.00

Driver disqualification 65-3-7 500.00

Exceeding the 10-hour

driving rule for

passenger carrier

transportation 65-3-11 100.00

Exceeding the 11-hour

driving rule for property

carrier transportation 65-3-11 100.00

Exceeding the 14-hour on

duty rule for property

carrier transportation 65-3-11 100.00

Exceeding the 15-hour on

duty rule for passenger

carrier transportation 65-3-11 100.00

Exceeding the 60 hours in 7

days on duty rule 65-3-11 100.00

Exceeding the 70 hours in 8

days on duty rule 65-3-11 100.00

False log book 65-3-11 100.00

No log book 65-3-11 100.00

No record for previous

7 days 65-3-11 100.00.

D. HAZARDOUS MATERIALS OUT-OF-SERVICE VIOLATIONS

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
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Placarding violations	65-3-13	\$250.00
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Cargo tank not meeting

specifications	65-3-13	250.00
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Internal valve operation

violations	65-3-13	250.00
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Hazardous materials

packaging violations	65-3-13	250.00
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Insecure load--hazardous

materials	65-3-13	250.00
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Shipping papers violations	65-3-13	30.00
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Shipment of forbidden

combination of hazardous

materials	65-3-13	250.00
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No hazardous waste manifest	65-3-13	30.00
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Bulk packaging marking

violations 65-3-13 30.00

Cargo tank marking violations 65-3-13 30.00.

E. Upon a second conviction for failure to stop at a port of entry or inspection station pursuant to Section

65-5-1 NMSA 1978, the penalty assessment shall be two hundred fifty dollars (\$250). Upon a third or subsequent conviction, the penalty assessment shall be five hundred dollars (\$500)."

Senate Bill 438

Approved February 28, 2008

LAWS 2008, CHAPTER 32

AN ACT

RELATING TO MOTOR VEHICLES; CLARIFYING THAT A SPECIAL REGISTRATION PLATE FOR THE RECIPIENT OF THE PURPLE HEART SHALL BE DISTINCTIVE.

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

Chapter 32 Section 1 Laws 2008

Section 1. Section 66-3-414 NMSA 1978 (being Laws 1987, Chapter 23, Section 1, as amended) is amended to read:

"66-3-414. SPECIAL REGISTRATION PLATES FOR PURPLE HEART VETERANS.--

A. The division shall issue special registration plates for up to two vehicles to any person who is a veteran and a bona fide purple heart medal recipient and who submits proof satisfactory to the division that the person has been awarded that medal. The plates shall have a distinctive design, different from the plates issued pursuant to Section 66-3-419 NMSA 1978, that emphasizes that the veteran is a purple heart recipient. No fee, including the regular registration fee applicable to the passenger motor vehicle, if any, shall be collected for the issuance of the special registration plates pursuant to this section. A person who is eligible for special registration plates pursuant to this section and also eligible for one or more special registration plates pursuant to Sections 66-3-406, 66-3-409, 66-3-411 and 66-3-412 NMSA 1978 shall be issued

special registration plates pursuant to only one of those sections, the choice of which shall be made by the veteran.

B. No person shall falsely make any representation as being a purple heart veteran so as to be eligible to be issued special plates pursuant to this section when the person in fact is not a purple heart veteran.

C. Any person who violates the provisions of Subsection B of this section is guilty of a misdemeanor."

Senate Bill 492

Approved February 28, 2008

LAWS 2008, CHAPTER 33

AN ACT

RELATING TO TAXATION; AUTHORIZING COUNTIES TO PERMIT PREPAYMENT OF PROPERTY TAXES IN MONTHLY PAYMENTS.

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

Chapter 33 Section 1 Laws 2008

Section 1. Section 7-38-37 NMSA 1978 (being Laws 1973, Chapter 258, Section 77, as amended) is amended to read:

"7-38-37. CONTENTS OF PROPERTY TAX BILL.--Each property tax bill shall be in a form and contain the information required by regulations of the department and shall contain at least the following:

A. all of the information required to be contained in the property tax schedule;

B. the amount of property taxes due on each installment, the due dates of the installments and the dates on which taxes become delinquent;

C. a brief statement of the option available to make prepayments of the property tax due pursuant to Sections 7-38-38.2 and 7-38-38.3 NMSA 1978;

D. a brief statement of the procedure under Section 7-38-39 NMSA 1978 for protesting values for property taxation purposes, classification, allocation of values to governmental units or a denial of a claim for an exemption;

E. a statement of the interest and penalties imposed by law for delinquency in the payment of property taxes and the remedies available against the taxpayer and the property for nonpayment of the amount due;

F. a statement advising the property owner that the property tax bill is the only notice the property owner will receive for payment of both installments of the tax if no separate notice will be sent with respect to the second installment;

G. the amount of any prepayment of the first installment made pursuant to Section 7-38-38.2 NMSA 1978; and

H. the total amount of any monthly payments made pursuant to Section 7-38-38.3 NMSA 1978 and a statement of the amount of the final monthly payment necessary to pay the balance of the tax due."

Chapter 33 Section 2 Laws 2008

Section 2. A new section of the Property Tax Code, Section 7-38-38.3 NMSA 1978, is enacted to read:

"7-38-38.3. OPTIONAL PREPAYMENT OF PROPERTY TAXES IN MONTHLY PAYMENTS.--A board of county commissioners may by resolution provide property owners the option of making prepayments of property taxes in ten monthly payments beginning June 1 of the year in which the tax bill is prepared and ending March 1 of the following year. The first nine monthly payments shall each be in an amount equal to ten percent of the prior year's property tax bill and the final payment on March 1 shall be in an amount equal to the balance of the tax due, as indicated on the tax bill prepared and mailed pursuant to Sections 7-38-36 and 7-38-37 NMSA 1978; provided that an option otherwise allowed pursuant to this section may not be exercised if taxes are escrowed for the property owner and included in the property owner's monthly mortgage payment."

Chapter 33 Section 3 Laws 2008

Section 3. APPLICABILITY.--The provisions of this act apply to property tax years beginning on or after

January 1, 2009.

Senate Bill 177, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 34

AN ACT

RELATING TO MOTOR VEHICLES; ENACTING A NEW SECTION OF CHAPTER 66, ARTICLE 3 NMSA 1978 TO PROVIDE FOR A BREAST CANCER AWARENESS LICENSE PLATE; MAKING AN APPROPRIATION.

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

Chapter 34 Section 1 Laws 2008

Section 1. A new section of Chapter 66, Article 3 NMSA 1978 is enacted to read:

"SPECIAL BREAST CANCER AWARENESS REGISTRATION PLATE.--

A. The division shall issue a standardized special registration plate with a logo as specified in Section 66-3-424 NMSA 1978 commemorating breast cancer awareness.

B. For a fee of thirty-five dollars (\$35.00), which is in addition to the regular motor vehicle registration fees, the owner of a vehicle may apply for issuance of a special breast cancer awareness registration plate. The owner shall apply for and pay the fee each year to retain and renew the special breast cancer awareness registration plate.

C. Revenue from the additional fee for a special breast cancer awareness registration plate shall be distributed as follows:

(1) ten dollars (\$10.00) of the additional fee collected shall be retained by and is appropriated to the department to defray the cost of making and issuing the special registration plate with a breast cancer awareness logo; and

(2) twenty-five dollars (\$25.00) of the additional fee shall be distributed to and is appropriated to the department of health for the purpose of funding breast cancer screening, outreach and education."

Senate Bill 178, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 35

AN ACT

RELATING TO CAPITAL OUTLAY; PROVIDING FOR AN ALTERNATE FISCAL AGENT; DECLARING AN EMERGENCY.

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

Chapter 35 Section 1 Laws 2008

Section 1. Section 6-21-6.12 NMSA 1978 (being Laws 2007 (1st S.S.), Chapter 3, Section 2) is amended to read:

"6-21-6.12. LOCAL GOVERNMENT TRANSPORTATION FUND-- CREATED-- DISTRIBUTIONS.--

A. The "local government transportation fund" is created within the authority. The fund shall be administered by the authority as a separate account, but may consist of subaccounts if the authority deems them necessary to carry out the purpose of the fund. The fund shall consist of general fund appropriations and severance tax bond proceeds appropriated to the fund and, except as provided in Subsection E of this section, all earnings of the fund.

B. Except as provided in Subsection D of this section, upon certification by the department of transportation that a project has been approved for payment and upon compliance with the requirements of this section, money in the fund shall be distributed to local governments for projects specifically authorized by the legislature. The authority shall issue payment to the local government named in the project application and certification or to the federal department of transportation, acting as the fiscal agent for the local government.

C. Except as provided in Subsection D of this section, distributions from the fund shall be made pursuant to the following criteria:

(1) projects shall be funded in the order that a completed application from a local government is received if the application shows, to the satisfaction of the department, that the project is ready to proceed and that the local government has, or will timely have, the required match for the distribution;

(2) distributions from the fund shall be used to pay no more than the state's portion of the total cost necessary to develop and construct the project as presented in the approved application;

(3) to qualify for funding, a local government shall apply for funding through the department of transportation's regional or metropolitan planning organizations;

(4) a local government shall show, to the satisfaction of the department of transportation, that it will match the distribution from the local government transportation fund in the following amounts:

(a) for a project with a total cost of less than five hundred thousand dollars (\$500,000), the local government shall contribute ten percent of the total project cost;

(b) for a project with a total cost of five hundred thousand dollars (\$500,000) or greater, but less than or equal to one million dollars (\$1,000,000), the local government shall contribute twenty percent of the total project cost;

(c) for a project with a total cost greater than one million dollars (\$1,000,000), but less than or equal to six million dollars (\$6,000,000), the local government shall contribute thirty-five percent of the total project cost; and

(d) for a project with a total project cost greater than six million dollars (\$6,000,000), the local government shall contribute forty-five percent of the total project cost; and

(5) in determining the sufficiency of a local government's matching contribution, the department shall consider actual funds, in-kind contributions, preconstruction design and development costs and other related expenditures made in the furtherance of the project. Matching fund sources may be any money available to the local government for the project, including:

(a) grants or loans by the authority from the local transportation infrastructure fund;

(b) appropriations from local government road funds;

(c) community development block grants; and

(d) available federal funds.

D. Notwithstanding the requirements of Subsections B and C of this section, up to five hundred thousand dollars (\$500,000) of the fund may be expended by the department of transportation for engineering and design services to develop the projects funded with distributions from the fund without a requirement for a local match.

E. Earnings from investing the fund are subject to appropriation by the legislature to the department of transportation to be used for payment of administrative costs associated with the fund, including payment for engineering costs.

F. As used in this section:

(1) "fund" means the local government transportation fund; and

(2) "local government" means a municipality acting within its planning and platting jurisdiction, a county or an Indian nation, tribe or pueblo."

Chapter 35 Section 2 Laws 2008

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

Senate Bill 489, with emergency clause

Approved February 28, 2008

LAWS 2008, CHAPTER 36

AN ACT

RELATING TO COURTS; CREATING THE JUDICIAL PERFORMANCE EVALUATION FUND; MAKING AN APPROPRIATION.

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

Chapter 36 Section 1 Laws 2008

Section 1. JUDICIAL PERFORMANCE EVALUATION FUND-- CREATED.--

A. The "judicial performance evaluation fund" is created in the state treasury to be administered by the administrative office of the courts. The fund shall consist of appropriations, gifts, grants, donations and bequests made to the fund. Income from the fund shall be credited to the fund. Balances in the fund shall not revert to the general fund at the end of any fiscal year.

B. Money in the judicial performance evaluation fund is subject to appropriation by the legislature to the administrative office of the courts for the operation and costs of the judicial performance evaluation commission to perform the duties required by the supreme court to evaluate appellate, district and metropolitan court judges.

C. Payments from the judicial performance evaluation fund shall be made upon vouchers issued and signed by the director of the administrative office of the

courts or the director's designee upon warrants drawn by the secretary of finance and administration.

House Bill 142

Approved February 28, 2008

LAWS 2008, CHAPTER 37

AN ACT

RELATING TO FINANCE; AUTHORIZING THE NEW MEXICO FINANCE AUTHORITY TO MAKE LOANS FOR PUBLIC PROJECTS FROM THE PUBLIC PROJECT REVOLVING FUND; DECLARING AN EMERGENCY.

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

Chapter 37 Section 1 Laws 2008

Section 1. AUTHORIZATION OF PROJECTS.--Pursuant to the provisions of Section 6-21-6 NMSA 1978, the legislature authorizes the New Mexico finance authority to make loans from the public project revolving fund to the following qualified entities for the following public projects on terms and conditions established by the authority:

1. to the city of Artesia in Eddy county for equipment, building, infrastructure, refinancing, water, wastewater, water rights, solid waste, road and land projects;

2. to the Pueblo of Acoma in Cibola county for equipment, road, water, wastewater and refinancing projects;

3. to the Agua Fria mutual domestic water consumers association in Santa Fe county for equipment, building, water, wastewater and infrastructure projects;

4. to the Alamogordo public school district in Otero county for equipment, building, infrastructure and refinancing projects;

5. to the Albuquerque public school district in Bernalillo county for equipment, building, infrastructure and refinancing projects;

6. to the Albuquerque-Bernalillo county water utility authority in Bernalillo county for water, wastewater, infrastructure, building, equipment and refinancing projects;

7. to the Animas public school district in Hidalgo county for equipment, building, infrastructure and refinancing projects;

8. to the Animas volunteer fire department in Hidalgo county for equipment, building and infrastructure projects;

9. to the Arroyo de Agua water association in Rio Arriba county for equipment, building and infrastructure projects;

10. to the Artesia public school district in Eddy and Chaves counties for equipment, building, infrastructure and refinancing projects;

11. to the Bernalillo county metropolitan court for building, equipment, infrastructure and refinancing projects;

12. to the Bernalillo public school district in Sandoval county for equipment, building, infrastructure and refinancing projects;

13. to the city of Bloomfield in San Juan county for land acquisition;

14. to the Bluewater water and sanitation district in Cibola county for water, wastewater and infrastructure projects;

15. to the Capitan municipal school district in Lincoln county for equipment, building, infrastructure and refinancing projects;

16. to the village of Capitan in Lincoln county for equipment, water and wastewater projects;

17. to the Carlsbad municipal school district in Eddy county for equipment, building, infrastructure and refinancing projects;

18. to the city of Carlsbad in Eddy county for equipment, building, infrastructure, road, land, refinancing, water and wastewater projects;

19. to the Clayton public school district in Union county for equipment, building, infrastructure and refinancing projects;

20. to the Cloudcroft municipal school district in Otero county for equipment, building, infrastructure and refinancing projects;

21. to the Clovis municipal school district in Curry county for equipment, building, infrastructure and refinancing projects;

22. to Colfax county for equipment and refinancing projects;

23. to the village of Columbus in Luna county for road, land, water, refinancing, equipment, building, wastewater and infrastructure projects;

24. to the Cuba soil and water conservation district in Sandoval county for equipment, building, water and infrastructure projects;

25. to the Des Moines municipal school district in Union county for equipment, building, infrastructure and refinancing projects;

26. to the town of Dexter in Chaves county for building, equipment, water, infrastructure and refinancing projects;

27. to the East Rio Arriba soil and water conservation district in Rio Arriba county for equipment, building, water and infrastructure projects;

28. to the El Rito mutual domestic water consumers association in Rio Arriba county for water, wastewater, building, equipment and infrastructure projects;

29. to the El Valle de los Ranchos water and sanitation district in Taos county for water, wastewater, building, equipment and infrastructure projects;

30. to the city of Elephant Butte in Sierra county for building, water, water rights, wastewater, equipment and refinancing projects;

31. to the Espanola public school district in Rio Arriba and Santa Fe counties for equipment, building, infrastructure and refinancing projects;

32. to the town of Estancia in Torrance county for equipment, building, water, wastewater, refinancing and infrastructure projects;

33. to the Gadsden independent school district in Dona Ana county for equipment, building, infrastructure and refinancing projects;

34. to the Greater Chimayo mutual domestic water consumers association in Rio Arriba and Santa Fe counties for water, wastewater, building, equipment and infrastructure projects;

35. to the town of Hagerman in Chaves county for equipment, building, refinancing, water and infrastructure projects;

36. to the Hidden Valley mutual domestic water consumers association in Sandoval county for water, wastewater, building, equipment and infrastructure projects;

37. to Quay county for building, equipment, infrastructure and refinancing projects;

38. to Lea county for building, equipment, infrastructure and refinancing projects;

39. to Grant county for building, equipment, infrastructure and refinancing projects;

40. to the city of Hobbs in Lea county for equipment, building, infrastructure, water, wastewater and refinancing projects;

41. to the Hondo Valley public school district in Lincoln county for equipment, building, infrastructure and refinancing projects;

42. to the Pueblo of Isleta in Bernalillo, Tarrant and Valencia counties for equipment, building, infrastructure, water, wastewater and refinancing projects;

43. to the Pueblo of Jemez in Sandoval county for equipment, building, infrastructure, water, wastewater and refinancing projects;

44. to the Pueblo of Laguna in Cibola county for equipment, building, water, wastewater, infrastructure, land and refinancing projects;

45. to the Lake Arthur municipal school district in Chaves county for equipment, building, infrastructure and refinancing projects;

46. to the Las Cruces public school district in Dona Ana county for equipment, building, infrastructure and refinancing projects;

47. to the Las Vegas city public school district in San Miguel county for equipment, building, infrastructure and refinancing projects;

48. to the Lincoln solid waste authority in Lincoln county for equipment, building, water, wastewater, infrastructure and refinancing projects;

49. to the Los Alamos public school district in Los Alamos county for equipment, building, infrastructure and refinancing projects;

50. to the Los Lunas public school district in Valencia county for equipment, building, infrastructure and refinancing projects;

51. to the Magdalena municipal school district in Socorro county for equipment, building, infrastructure and refinancing projects;

52. to the governing board of Mesalands community college in Quay county for building, equipment, infrastructure and refinancing projects;

53. to the Mesquite mutual domestic water consumers and mutual sewage works association in Dona Ana county for water, wastewater, infrastructure, building, equipment and refinancing projects;

54. to Mora county for equipment, building, infrastructure, water, wastewater and refinancing projects;

55. to the Mora independent school district in Mora county for equipment, building, infrastructure and refinancing projects;

56. to the governing board of New Mexico junior college in Lea county for equipment, building, infrastructure and refinancing projects;

57. to New Mexico state university for equipment, building, infrastructure and refinancing projects;

58. to the northwest New Mexico regional solid waste authority in McKinley county for equipment, building, refinancing and infrastructure projects;

59. to the Pecos independent school district in San Miguel county for equipment, building, infrastructure and refinancing projects;

60. to the Pueblo of Picuris in Taos county for equipment, building, infrastructure and refinancing projects;

61. to the Pojoaque Valley public school district in Santa Fe county for equipment, building, infrastructure and refinancing projects;

62. to the Raton public school district in Colfax county for equipment, building, infrastructure and refinancing projects;

63. to the La Union mutual domestic water association for a water project in Dona Ana County;

64. to the town of Red River in Taos county for equipment, building, infrastructure, water, wastewater and refinancing projects;

65. to the Roswell independent school district in Chaves county for equipment, building, infrastructure and refinancing projects;

66. to the Rio Rancho public school district in Sandoval county for equipment, building, infrastructure and refinancing projects;

67. to the Ruidoso municipal school district in Lincoln county for equipment, building, infrastructure and refinancing projects;

68. to the Pueblo of San Ildefonso in Rio Arriba county for equipment, building, infrastructure and refinancing projects;

69. to Sandoval county for water and wastewater projects;

70. to the Pueblo of Santa Ana in Sandoval county for equipment, building, infrastructure, refinancing, land, water and wastewater projects;

71. to the Pueblo of Santa Clara in Rio Arriba county for equipment, building, infrastructure, refinancing, water and wastewater projects;

72. to the Santa Fe public school district in Santa Fe county for equipment, building, infrastructure and refinancing projects;

73. to Santa Fe county for equipment, building, infrastructure, refinancing, water and wastewater projects;

74. to the Pueblo of Santo Domingo in Santa Fe and Sandoval counties for equipment, building, infrastructure, refinancing, land, water and wastewater projects;

75. to the Silver consolidated schools district in Grant county for equipment, building, infrastructure and refinancing projects;

76. to the South Central solid waste authority in Dona Ana county for equipment, building, infrastructure, water, wastewater and refinancing projects;

77. to the Texico municipal school district in Curry county for equipment, building, infrastructure and refinancing projects;

78. to the Tierra y Montes soil and water conservation district in San Miguel county for equipment, building, infrastructure, water, wastewater and refinancing projects;

79. to the Timberon water and sanitation district in Otero county for water, wastewater, equipment, building, infrastructure and refinancing projects;

80. to the Tucumcari public school district in Quay county for equipment, building, infrastructure and refinancing projects;

81. to the Santa Fe solid waste management agency in Santa Fe county for equipment, building, infrastructure, water, wastewater and refinancing projects;

82. to the village of Tularosa in Otero county for building, equipment, infrastructure and refinancing projects;

83. to the Vaughn municipal school district in Guadalupe county for equipment, building, infrastructure and refinancing projects;

84. to the city of Albuquerque in Bernalillo county for a rail spur project;

85. to the village of Reserve in Catron county for building, equipment, infrastructure and refinancing projects;

86. to the Roosevelt county hospital district in Roosevelt county for equipment, building, infrastructure and refinancing projects;

87. to the Taos regional landfill in Taos county for equipment, building, infrastructure and land projects;

88. to the city of Hobbs in Lea county for equipment, building, infrastructure, land, water, wastewater and refinancing projects;

89. to the Pueblo of Taos in Taos county for equipment, building, infrastructure, refinancing, water, wastewater and land projects;

90. to the city of Rio Rancho in Sandoval county for equipment, building, infrastructure, special assessment district and refinancing projects; and

91. to the Camino Real regional water utility authority in Dona Ana county for equipment, building, infrastructure, land, water, wastewater and refinancing projects.

Chapter 37 Section 2 Laws 2008

Section 2. VOIDING OF AUTHORIZATION.--If a qualified entity listed in Section 1 of this act has not certified to the New Mexico finance authority by the end of fiscal year 2010 its desire to continue to pursue a loan from the public project revolving fund for a public project listed in that section, the legislative authorization granted to the New Mexico finance authority by Section 1 of this act to make a loan from the public project revolving fund to that qualified entity for that public project is void.

Chapter 37 Section 3 Laws 2008

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

House Bill 172, as amended, with emergency clause, with certificate of correction

Approved February 28, 2008

LAWS 2008, CHAPTER 38

AN ACT

RELATING TO CONSTRUCTION INDUSTRIES LICENSING; AMENDING SECTION 60-13-49 NMSA 1978 (BEING LAWS 1967, CHAPTER 199, SECTION 57, AS AMENDED) PROVIDING FOR PROOF OF RESPONSIBILITY.

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

Chapter 38 Section 1 Laws 2008

Section 1. Section 60-13-49 NMSA 1978 (being Laws 1967, Chapter 199, Section 57, as amended) is amended to read:

"60-13-49. PROOF OF RESPONSIBILITY.--

A. No applicant for a contractor's license or for renewal of a contractor's license shall be issued a license until the director determines that the applicant furnishes proof of responsibility pursuant to Subsection B of this section.

B. Proof of responsibility shall be a bond of ten thousand dollars (\$10,000) acceptable to the director and underwritten by a corporate surety authorized to transact business in New Mexico. Such bond shall meet the following conditions:

(1) payments from a bond required pursuant to this section shall only be used to cure code violations caused by a licensee, certified by the division and not corrected by the licensee. Claims against the bond shall be made within two years following final inspection by the governmental entity having jurisdiction over code enforcement or within two years of issuance of a certificate of occupancy for the construction project, whichever is earlier;

(2) the total aggregate liability of the surety for all claims shall be limited to the face amount of the bond;

(3) the bond carrier shall provide to the division and to the licensee thirty days' prior written notice of intent to cancel a bond required pursuant to this section. The surety for such a bond shall remain liable under the provisions of the bond for all obligations of the principal pertaining to bond terms that occur before the bond is canceled, expires or otherwise becomes ineffective;

(4) failure to maintain the bond for the period required by law is cause for revocation of the license; and

(5) if the bond is canceled, expires or otherwise becomes ineffective during the period of a license, the division shall notify the licensee that a new

bond is required. If the licensee has not provided proof of a new bond before the fortieth day after the date on which the bond was canceled, expired or otherwise became ineffective, the license shall be subject to revocation for failure of proof of responsibility."

Chapter 38 Section 2 Laws 2008

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2009.

HJC/House Bill 199, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 39

AN ACT

RELATING TO COUNTIES; AMENDING THE SMALL COUNTIES ASSISTANCE ACT; ADJUSTING A DEFINITION USED IN CALCULATING THE AMOUNTS DISTRIBUTED TO QUALIFYING COUNTIES.

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

Chapter 39 Section 1 Laws 2008

Section 1. Section 4-61-2 NMSA 1978 (being Laws 1982, Chapter 44, Section 2, as amended) is amended to read:

"4-61-2. DEFINITIONS.--As used in the Small Counties Assistance Act:

A. "adjustment factor" means a fraction, the numerator of which is the net taxable value of the state for the property tax year prior to the year in which the amount of small counties assistance is being determined and the denominator of which is the net taxable value for property tax year 2002; the adjustment factor shall be calculated without reference to assessed value determined pursuant to the Oil and Gas Ad Valorem Production Tax Act, assessed value determined pursuant to the Oil and Gas Production Equipment Ad Valorem Tax Act or taxable value determined pursuant to the Copper Production Ad Valorem Tax Act;

B. "ceiling valuation" means:

(1) for the 2002 property tax year, one billion four hundred million dollars (\$1,400,000,000); and

(2) for each subsequent property tax year, an amount equal to the product obtained by multiplying one billion four hundred million dollars (\$1,400,000,000) by the adjustment factor for the year;

C. "demographer" means the bureau of business and economic research at the university of New Mexico;

D. "inflation factor" means a fraction whose numerator is the annual implicit price deflator index for state and local government purchases of goods and services, as published in the United States department of commerce monthly publication entitled "Survey of Current Business" or any successor publication prepared by an agency of the United States and adopted by the department of finance and administration, for the calendar year one year prior to the year in which the distribution is to be made and whose denominator is the annual index for calendar year 2004; provided that, if the inflation factor is calculated to have a value less than one, it shall be deemed to have a value of one;

E. "population" means the official population shown by the most recent federal decennial census or, if there is a change in boundaries after the date of the census, "population" for each affected unit shall be the most current estimated population for that unit provided in writing by the demographer; provided that after five years from the first day of the calendar year of the most recent federal decennial census, that census shall not be used, and "population" for the period from that date until the date when the next following official final decennial census population data are available shall be the most current estimated population provided in writing by the demographer;

F. "qualifying county" means a county that has:

(1) for the property tax year in which any distribution under the Small Counties Assistance Act is made to the county, imposed a property tax rate for general county purposes pursuant to Paragraph (1) of Subsection B of Section 7-37-7 NMSA 1978 as limited by Section 7-37-7.1 NMSA 1978 of at least eight dollars eighty-five cents (\$8.85) per one thousand dollars (\$1,000) of net taxable value;

(2) by July 1 of the property tax year in which any distribution under the Small Counties Assistance Act is made to the county, received a written certification from the director of the property tax division of the taxation and revenue department that the county assessor of that county has implemented an acceptable program of maintaining current and correct property values for property taxation purposes as required by Section 7-36-16 NMSA 1978 or has submitted to the director an acceptable plan for the implementation of such a program;

(3) on July 1 of the year in which any distribution under the Small Counties Assistance Act is made to the county, a population of not more than forty-eight thousand;

(4) imposed county gross receipts tax increments authorized pursuant to Section 7-20E-9 NMSA 1978 totaling at least three-eighths percent and has those increments in effect on July 1 of the year in which a distribution is made, provided that this paragraph does not apply to a county if the county's valuation for property taxation purposes does not exceed the product of two hundred thirty million dollars (\$230,000,000) multiplied by the adjustment factor for the year; and

(5) a total valuation for the property tax year preceding the year in which a distribution pursuant to the Small Counties Assistance Act for that county is to be made that is no greater than the ceiling valuation for that property tax year; and

G. "total valuation" means the sum for a jurisdiction for a property tax year of the net taxable value determined pursuant to the Property Tax Code, the assessed value determined pursuant to the Oil and Gas Ad Valorem Production Tax Act, the assessed value determined pursuant to the Oil and Gas Production Equipment Ad Valorem Tax Act and the taxable value determined pursuant to the Copper Production Ad Valorem Tax Act."

Chapter 39 Section 2 Laws 2008

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

House Bill 218, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 40

AN ACT

RELATING TO DOMESTIC ABUSE; EXPANDING AND CLARIFYING DEFINITIONS; GRANTING FREE PROCESS TO VICTIMS; PROVIDING FOR MUTUAL ORDERS OF PROTECTION; PROVIDING LIMITS ON INTERNET PUBLICATION; CLARIFYING PROVISIONS OF THE FAMILY VIOLENCE PROTECTION ACT; AMENDING AND ENACTING SECTIONS OF THE FAMILY VIOLENCE PROTECTION ACT.

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

Chapter 40 Section 1 Laws 2008

Section 1. Section 30-1-15 NMSA 1978 (being Laws 2002, Chapter 34, Section 1 and Laws 2002, Chapter 35, Section 1) is amended to read:

"30-1-15. ALLEGED VICTIMS OF DOMESTIC ABUSE, STALKING OR SEXUAL ASSAULT--FORBEARANCE OF COSTS.--

A. An alleged victim of an offense specified in Subsection B of this section is not required to bear the cost of:

- (1) the prosecution of a misdemeanor or felony domestic violence offense, including costs associated with filing a criminal charge against an alleged perpetrator of the offense;
- (2) the filing, issuance or service of a warrant;
- (3) the filing, issuance or service of a witness subpoena; or
- (4) the filing, issuance, registration or service of a protection order.

B. The provisions of Subsection A of this section apply to:

- (1) alleged victims of domestic abuse as defined in Section 40-13-2 NMSA 1978;
- (2) sexual offenses described in Sections 30-9-11 through 30-9-14 and 30-9-14.3 NMSA 1978;
- (3) crimes against household members described in Sections 30-3-12 through 30-3-16 NMSA 1978;
- (4) harassment, stalking and aggravated stalking described in Sections 30-3A-2 through 30-3A-3.1 NMSA 1978; and
- (5) the violation of an order of protection that is issued pursuant to the Family Violence Protection Act or entitled to full faith and credit."

Chapter 40 Section 2 Laws 2008

Section 2. Section 40-13-2 NMSA 1978 (being Laws 1987, Chapter 286, Section 2, as amended) is amended to read:

"40-13-2. DEFINITIONS.--As used in the Family Violence Protection Act:

A. "co-parents" means persons who have a child in common, regardless of whether they have been married or have lived together at any time;

B. "court" means the district court of the judicial district where an alleged victim of domestic abuse resides or is found;

C. "domestic abuse":

(1) means an incident of stalking or sexual assault whether committed by a household member or not;

(2) means an incident by a household member against another household member consisting of or resulting in:

(a) physical harm;

(b) severe emotional distress;

(c) bodily injury or assault;

(d) a threat causing imminent fear of bodily injury by any household member;

(e) criminal trespass;

(f) criminal damage to property;

(g) repeatedly driving by a residence or work place;

(h) telephone harassment;

(i) harassment; or

(j) harm or threatened harm to children as set forth in this paragraph; and

(3) does not mean the use of force in self-defense or the defense of another;

D. "household member" means a spouse; former spouse; family member, including a relative, parent, present or former stepparent, present or former in-law, child or co-parent of a child; or a person with whom the petitioner has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for purposes of this section;

E. "mutual order of protection" means an order of protection that includes provisions that protect both parties;

F. "order of protection" means an injunction or a restraining or other court order granted for the protection of a victim of domestic abuse;

G. "protected party" means a person protected by an order of protection;
and

H. "restrained party" means a person who is restrained by an order of protection."

Chapter 40 Section 3 Laws 2008

Section 3. Section 40-13-3 NMSA 1978 (being Laws 1987, Chapter 286, Section 3, as amended) is amended to read:

"40-13-3. PETITION FOR ORDER OF PROTECTION--CONTENTS--
STANDARD FORMS.--

A. A victim of domestic abuse may petition the court under the Family Violence Protection Act for an order of protection.

B. The petition shall be made under oath or shall be accompanied by a sworn affidavit setting out specific facts showing the alleged domestic abuse.

C. The petition shall state whether any other domestic action is pending between the petitioner and the respondent.

D. If any other domestic action is pending between the petitioner and the respondent, the parties shall not be compelled to mediate any aspect of the case arising from the Family Violence Protection Act unless the court finds that appropriate safeguards exist to protect each of the parties and that both parties can fairly mediate with such safeguards.

E. An action brought under the Family Violence Protection Act is independent of any proceeding for annulment, separation or divorce between the parties.

F. Remedies granted pursuant to the Family Violence Protection Act are in addition to and shall not limit other civil or criminal remedies available to the parties.

G. Standard simplified petition forms with instructions for completion shall be available to all parties. Law enforcement agencies shall keep such forms and make them available upon request to alleged victims of domestic abuse."

Chapter 40 Section 4 Laws 2008

Section 4. Section 40-13-3.1 NMSA 1978 (being Laws 1995, Chapter 176, Section 1) is amended to read:

"40-13-3.1. FORBEARANCE OF COSTS ASSOCIATED WITH DOMESTIC ABUSE OFFENSES.--

A. An alleged victim of domestic abuse shall not be required to bear the cost of:

(1) the prosecution of a misdemeanor or felony offense arising out of an incident of domestic abuse, including costs associated with filing a criminal charge against the alleged perpetrator of the abuse;

(2) the filing, issuance or service of a warrant;

(3) the filing, issuance or service of a witness subpoena;

(4) the filing, issuance or service of a petition for an order of protection;

(5) the filing, issuance or service of an order of protection; or

(6) obtaining law enforcement reports relating to the alleged abuse or pattern of abuse.

B. No witness fee shall be charged where prohibited by federal law."

Chapter 40 Section 5 Laws 2008

Section 5. Section 40-13-3.2 NMSA 1978 (being Laws 1999, Chapter 142, Section 2) is amended to read:

"40-13-3.2. EX PARTE EMERGENCY ORDERS OF PROTECTION.--

A. The district court may issue an ex parte written emergency order of protection when a law enforcement officer states to the court in person, by telephone or via facsimile and files a sworn written statement, setting forth the need for an emergency order of protection, and the court finds reasonable grounds to believe that the alleged victim or the alleged victim's child is in immediate danger of domestic abuse following an incident of domestic abuse. The written statement shall include the location and telephone number of the alleged perpetrator, if known.

B. A law enforcement officer who receives an emergency order of protection, whether in writing, by telephone or by facsimile transmission, from the court shall:

(1) if necessary, pursuant to the judge's oral approval, write and sign the order on an approved form;

(2) if possible, immediately serve a signed copy of the order on the restrained party and complete the appropriate affidavit of service;

(3) immediately provide the protected party with a signed copy of the order; and

(4) provide the original order to the court by the close of business on the next judicial day.

C. The court may grant the following relief in an emergency order of protection upon a probable cause finding that domestic abuse has occurred:

(1) enjoin the restrained party from threatening to commit or committing acts of domestic abuse against the protected party or any designated household members;

(2) enjoin the restrained party from any contact with the protected party, including harassing, telephoning, contacting or otherwise communicating with the protected party; and

(3) grant temporary custody of any minor child in common with the parties to the protected party, if necessary.

D. A district judge shall be available as determined by each judicial district to hear petitions for emergency orders of protection.

E. An emergency order of protection expires seventy-two hours after issuance or at the end of the next judicial day, whichever time is latest. The expiration date shall be clearly stated on the emergency order of protection.

F. A person may appeal the issuance of an emergency order of protection to the court that issued the order. An appeal may be heard as soon as the judicial day following the issuance of the order.

G. Upon a proper petition, a district court may issue a temporary order of protection that is based upon the same incident of domestic abuse that was alleged in an emergency order of protection.

H. Emergency orders of protection are enforceable in the same manner as other orders of protection issued pursuant to the provisions of the Family Violence Protection Act."

Chapter 40 Section 6 Laws 2008

Section 6. Section 40-13-4 NMSA 1978 (being Laws 1987, Chapter 286, Section 4) is amended to read:

"40-13-4. TEMPORARY ORDER OF PROTECTION--HEARING-- DISMISSAL.--

A. Upon the filing of a petition for order of protection, the court shall:

(1) immediately grant an ex parte temporary order of protection without bond if there is probable cause from the specific facts shown by the affidavit or by the petition to give the judge reason to believe that an act of domestic abuse has occurred;

(2) cause the temporary order of protection together with notice of hearing to be served immediately on the alleged perpetrator of the domestic abuse; and

(3) within ten days after the granting of the temporary order of protection, hold a hearing on the question of continuing the order; or

(4) if an ex parte order is not granted, serve notice to appear upon the parties and hold a hearing on the petition for order of protection within seventy-two hours after the filing of the petition; provided if notice of hearing cannot be served within seventy-two hours, the temporary order of protection shall be automatically extended for ten days.

B. If the court grants a temporary order of protection, it may award temporary custody and visitation of any children involved when appropriate.

C. Except for petitions alleging stalking or sexual assault, if the court finds that the alleged perpetrator is not a household member, the court shall dismiss the petition."

Chapter 40 Section 7 Laws 2008

Section 7. Section 40-13-5 NMSA 1978 (being Laws 1987, Chapter 286, Section 5, as amended) is amended to read:

"40-13-5. ORDER OF PROTECTION--CONTENTS--REMEDIES-- TITLE TO PROPERTY NOT AFFECTED--MUTUAL ORDER OF PROTECTION.--

A. Upon finding that domestic abuse has occurred or upon stipulation of the parties, the court shall enter an order of protection ordering the restrained party to refrain from abusing the protected party or any other household member. The court shall specifically describe the acts the court has ordered the restrained party to do or refrain from doing. As a part of any order of protection, the court may:

(1) grant sole possession of the residence or household to the protected party during the period the order of protection is effective or order the restrained party to provide temporary suitable alternative housing for the protected party and any children to whom the restrained party owes a legal obligation of support;

(2) award temporary custody of any children involved when appropriate and provide for visitation rights, child support and temporary support for the protected party on a basis that gives primary consideration to the safety of the protected party and the children;

(3) order that the restrained party shall not initiate contact with the protected party;

(4) restrain a party from transferring, concealing, encumbering or otherwise disposing of the other party's property or the joint property of the parties except in the usual course of business or for the necessities of life and require the parties to account to the court for all such transferances, encumbrances and expenditures made after the order is served or communicated to the restrained party;

(5) order the restrained party to reimburse the protected party or any other household member for expenses reasonably related to the occurrence of domestic abuse, including medical expenses, counseling expenses, the expense of seeking temporary shelter, expenses for the replacement or repair of damaged property or the expense of lost wages;

(6) order the restrained party to participate in, at the restrained party's expense, professional counseling programs deemed appropriate by the court, including counseling programs for perpetrators of domestic abuse, alcohol abuse or abuse of controlled substances; and

(7) order other injunctive relief as the court deems necessary for the protection of a party, including orders to law enforcement agencies as provided by this section.

B. The order of protection shall contain a notice that violation of any provision of the order constitutes contempt of court and may result in a fine or imprisonment or both.

C. If the order of protection supersedes or alters prior orders of the court pertaining to domestic matters between the parties, the order shall say so on its face. If an action relating to child custody or child support is pending or has concluded with entry of an order at the time the petition for an order of protection was filed, the court may enter an initial order of protection, but the portion of the order dealing with child custody or child support will then be transferred to the court that has or continues to have jurisdiction over the pending or prior custody or support action.

D. A mutual order of protection shall be issued only in cases where both parties have petitioned the court and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense.

E. No order issued under the Family Violence Protection Act shall affect title to any property or allow a party to transfer, conceal, encumber or otherwise dispose of another party's property or the joint or community property of the parties.

F. Either party may request a review hearing to amend an order of protection. An order of protection involving child custody or support may be modified without proof of a substantial or material change of circumstances.

G. An order of protection shall not be issued unless a petition or a counter petition has been filed."

Chapter 40 Section 8 Laws 2008

Section 8. Section 40-13-6 NMSA 1978 (being Laws 1987, Chapter 286, Section 6, as amended) is amended to read:

"40-13-6. SERVICE OF ORDER--DURATION--PENALTY--REMEDIES NOT EXCLUSIVE.--

A. An order of protection granted under the Family Violence Protection Act shall be filed with the clerk of the court, and a copy shall be sent by the clerk to the local law enforcement agency. The order shall be personally served upon the restrained party, unless the restrained party or the restrained party's attorney was present at the time the order was issued. The order shall be filed and served without cost to the protected party.

B. A local law enforcement agency receiving an order of protection from the clerk of the court that was issued under the Family Violence Protection Act shall have the order entered in the national crime information center's order of protection file within seventy-two hours of receipt. This does not include temporary orders of protection entered pursuant to the provisions of Section 40-13-4 NMSA 1978.

C. An order of protection granted by the court involving custody or support shall be effective for a fixed period of time not to exceed six months. The order may be extended for good cause upon motion of the protected party for an additional period of time not to exceed six months. Injunctive orders shall continue until modified or rescinded upon motion by either party or until the court approves a subsequent consent agreement entered into by the parties.

D. A peace officer shall arrest without a warrant and take into custody a restrained party whom the peace officer has probable cause to believe has violated an order of protection that is issued pursuant to the Family Violence Protection Act or entitled to full faith and credit.

E. State courts shall give full faith and credit to tribal court orders of protection and orders of protection issued by courts of other states. A protection order

issued by a state or tribal court against one who has petitioned, filed a complaint or otherwise filed a written pleading for protection against abuse by a spouse or intimate partner is not entitled to full faith and credit if:

(1) no cross or counter petition, complaint or other written pleading was filed seeking such a protection order; or

(2) a cross or counter petition has been filed and the court did not make specific findings that each party was entitled to such an order.

F. A restrained party convicted of violating an order of protection granted by a court under the Family Violence Protection Act is guilty of a misdemeanor and shall be sentenced in accordance with Section 31-19-1 NMSA 1978. Upon a second or subsequent conviction, an offender shall be sentenced to a jail term of not less than seventy-two consecutive hours that shall not be suspended, deferred or taken under advisement.

G. In addition to any other punishment provided in the Family Violence Protection Act, the court shall order a person convicted to make full restitution to the party injured by the violation of an order of protection and shall order the person convicted to participate in and complete a program of professional counseling, at the person's own expense, if possible.

H. In addition to charging the person with violating an order of protection, a peace officer shall file all other possible criminal charges arising from an incident of domestic abuse when probable cause exists.

I. The remedies provided in the Family Violence Protection Act are in addition to any other civil or criminal remedy available to the protected party or the state."

Chapter 40 Section 9 Laws 2008

Section 9. Section 40-13-7 NMSA 1978 (being Laws 1987, Chapter 286, Section 7, as amended) is amended to read:

"40-13-7. LAW ENFORCEMENT OFFICERS--EMERGENCY ASSISTANCE-- LIMITED LIABILITY--PROVIDING NOTIFICATION TO VICTIMS WHEN AN ALLEGED PERPETRATOR IS RELEASED FROM DETENTION--STATEMENT IN JUDGMENT AND SENTENCE DOCUMENT.--

A. A person who allegedly has been a victim of domestic abuse may request the assistance of a local law enforcement agency.

B. A local law enforcement officer responding to the request for assistance shall be required to take whatever steps are reasonably necessary to protect the victim from further domestic abuse, including:

(1) advising the victim of the remedies available under the Family Violence Protection Act; the right to file a written statement, a criminal complaint and a request for an arrest warrant; and the availability of domestic violence shelters, medical care, counseling and other services;

(2) upon the request of the victim, providing or arranging for transportation of the victim to a medical facility or place of shelter;

(3) upon the request of the victim, accompanying the victim to the victim's residence to obtain the victim's clothing and personal effects required for immediate needs and the clothing and personal effects of any children then in the care of the victim;

(4) upon the request of the victim, assist in placing the victim in possession of the dwelling or premises or otherwise assist in execution, enforcement or service of an order of protection;

(5) arresting the alleged perpetrator when appropriate and including a written statement in the attendant police report to indicate that the arrest of the alleged perpetrator was, in whole or in part, premised upon probable cause to believe that the alleged perpetrator committed domestic abuse against the victim and, when appropriate, indicate that the party arrested was the predominant aggressor; and

(6) advising the victim when appropriate of the procedure for initiating proceedings under the Family Violence Protection Act or criminal proceedings and of the importance of preserving evidence.

C. The jail or detention center shall make a reasonable attempt to notify the arresting law enforcement agency or officer when the alleged perpetrator is released from custody. The arresting law enforcement agency shall make a reasonable attempt to notify the victim that the alleged perpetrator is released from custody.

D. Any law enforcement officer responding to a request for assistance under the Family Violence Protection Act is immune from civil liability to the extent allowed by law. Any jail, detention center or law enforcement agency that makes a reasonable attempt to provide notification that an alleged perpetrator is released from custody is immune from civil liability to the extent allowed by law.

E. A statement shall be included in a judgment and sentence document to indicate when a conviction results from the commission of domestic abuse."

Chapter 40 Section 10 Laws 2008

Section 10. A new section of the Family Violence Protection Act is enacted to read:

"LIMITS ON INTERNET PUBLICATION.--A state agency, court or political subdivision of the state, including a magistrate or municipal court, judicial district, law enforcement agency, county, municipality or home-rule municipality, shall not make available publicly on the internet any information that would likely reveal the identity or location of the party protected under an order of protection. A state agency, court or political subdivision may share court- generated and law enforcement-generated information contained in secure, government registries for protection order enforcement purposes."

Chapter 40 Section 11 Laws 2008

Section 11. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

HJC/House Bill 227, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 41

AN ACT

RELATING TO ELECTIONS; PROVIDING FOR AUTOMATIC RECOUNTS OF CERTAIN ELECTIONS; PROVIDING FOR RECOUNT AND RECHECK PROCEDURES; AMENDING, REPEALING AND ENACTING SECTIONS OF THE ELECTION CODE.

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

Chapter 41 Section 1 Laws 2008

Section 1. A new section of the Election Code is enacted to read:

"AUTOMATIC RECOUNTS--ELECTIONS FOR STATE AND FEDERAL OFFICES--PROCEDURES.--

A. An automatic recount of the vote is required when the canvass of returns for a federal or state office in a primary or general election indicates that the margin between the two candidates receiving the greatest number of votes for the office is less than one-half of one percent of the total votes cast for that office in that election.

B. The secretary of state shall file notice with the state canvassing board within five days of the completion of the state canvass that an automatic recount is required, and the state canvassing board shall order a recount of the ballots for the specified office.

C. Automatic recounts shall be conducted pursuant to the recount procedures established in Sections 1-14-16 and 1-14-18 through 1-14-22 NMSA 1978.

D. For the purposes of this section, "state office" means the office of governor, lieutenant governor, state auditor, state treasurer, attorney general, secretary of state, supreme court justice, court of appeals judge, district judge, magistrate judge, public regulation commissioner, commissioner of public lands, state senator or state representative."

Chapter 41 Section 2 Laws 2008

Section 2. A new section of the Election Code is enacted to read:

"AUTOMATIC RECOUNTS--EXPENSES.--The secretary of state shall reimburse the counties for the costs of conducting an automatic recount with money appropriated to the secretary. In the event that current year appropriations to the secretary of state do not cover the cost of an automatic recount, the secretary may apply to the state board of finance for an emergency grant to cover those costs pursuant to Section 6-1-2 NMSA 1978."

Chapter 41 Section 3 Laws 2008

Section 3. Section 1-14-16 NMSA 1978 (being Laws 1969, Chapter 240, Section 345, as amended) is repealed and a new Section 1-14-16 NMSA 1978 is enacted to read:

"1-14-16. RECOUNT OR RECHECK PROCEEDINGS.--

A. Immediately after filing of the application for recount or recheck, or notice of an automatic recount, the appropriate canvassing board shall issue an order to the county clerk of each county where a precinct specified in the application or notice is located commanding the county clerk to convene the absent voter precinct board at the county seat on a day specified in the order, which date shall not be more than ten days after the filing of the application for a recount or recheck or notice of an automatic recount.

B. Upon receipt of the order, the county clerk shall send notices by registered mail of the date fixed for the recount or recheck to the district judge for the county, the absent voter precinct board members and the county chair of each of the political parties that participated in the election for the office in question.

C. The absent voter precinct board, district judge and county clerk shall meet on the date fixed for the recount or recheck, and the ballot boxes and ballot containers or voting machines of the precincts involved in the recount or recheck shall be opened. The absent voter precinct board shall recount and retally the ballots, or recheck the votes cast on the voting machines, as the case may be, for the office in question in the presence of the county clerk, district judge, or person designated to act for the district judge, and any other person who may desire to be present.

D. After completion of the recount or recheck, the absent voter precinct board shall replace the ballots in the ballot boxes and ballot containers and lock them, or the voting machines shall be locked and resealed, and the precinct board shall certify to the secretary of state the results of the recount or recheck. The district judge, or the person designated to act for the district judge, and the county clerk shall also certify that the recount or recheck was made in their presence."

Chapter 41 Section 4 Laws 2008

Section 4. Section 1-14-18 NMSA 1978 (being Laws 1969, Chapter 240, Section 347, as amended) is amended to read:

"1-14-18. RECOUNT--RECHECK--RECANVASS BY CANVASSING BOARDS.--

A. Immediately upon receipt of the certificate of recount or recheck from all the absent voter precinct boards making a recount or recheck, the proper canvassing board shall meet and recanvass the returns for the office in question.

B. In making the recanvass, the proper canvassing board shall be bound by the certificates of recount or recheck from the absent voter precinct boards instead of the original returns from the precinct boards.

C. After the recanvass, if it appears that fraud or error has been committed sufficient to change the winner of the election, then the proper canvassing board shall revoke the certificate of nomination or election already issued to any person for that office and shall issue a certificate of nomination or election in favor of the person receiving a plurality of the votes cast at the election as shown by the recount or recheck, and such certificate shall supersede all others and entitle the holder to the same rights and privileges as if such certificate had been originally issued by the canvassing board."

Chapter 41 Section 5 Laws 2008

Section 5. REPEAL.--Section 1-14-17 NMSA 1978 (being Laws 1969, Chapter 240, Section 346, as amended) is repealed.

Approved February 28, 2008

LAWS 2008, CHAPTER 42

AN ACT

RELATING TO FINANCE; AUTHORIZING THE NEW MEXICO FINANCE AUTHORITY TO MAKE LOANS FOR PRIVATE PROJECTS FROM THE ECONOMIC DEVELOPMENT REVOLVING FUND; DECLARING AN EMERGENCY.

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

Chapter 42 Section 1 Laws 2008

Section 1. AUTHORIZATION OF PROJECTS.--Pursuant to the provisions of Sections 6-25-6 and 6-25-13 NMSA 1978, the legislature authorizes the New Mexico finance authority to provide financing assistance in the form of loan participations with private lenders for up to forty-nine percent of total individual project financing, not to exceed five million dollars (\$5,000,000) per project, from the economic development revolving fund to eligible entities for the following standard projects, subject to detailed analysis, final approval and specific terms and conditions established by the authority:

1. a plant-based biofuel processor and distributor in Bernalillo county;
2. a sanitation service project in Bernalillo county;
3. a biomass and renewable energy project in Chaves or Eddy county;
4. an agricultural processing project in Curry county;
5. a biomass project in Dona Ana county;
6. an apparel manufacturing project in Dona Ana county;
7. an electronic manufacturing project in Dona Ana county;
8. a downtown revitalization project in Grant county;
9. a distribution warehouse facility in Lea county;
10. a value-added agriculture project in Lea county;
11. a wind farm construction company in Lea county;
12. a value-added agriculture manufacturing project in Luna county;

13. a gasification project in McKinley county;
14. a hospitality and tourism facility that involves value-added agriculture in Otero county;
15. an alternative energy production project in Otero county;
16. a particle accelerator systems manufacturing facility in Rio Arriba county;
17. a downtown revitalization project in Roosevelt county;
18. an energy production facility in Roosevelt county;
19. a renewable energy project in Roosevelt, Chaves and Dona Ana counties;
20. a specialty chemical company in San Juan county;
21. an aircraft components maintenance and repair services provider in Sandoval county;
22. a recreational manufacturing and sales facility in Santa Fe county;
23. a subsea enclosure manufacturer in Santa Fe county;
24. a value-added agriculture manufacturing project in Santa Fe county;
25. a transportation manufacturing project in Union county;
26. a value-added agriculture project in Sandoval, Cibola and Bernalillo counties;
27. a wood products manufacturer in San Miguel county;
28. a value-added agriculture project in DeBaca county;
29. a solar salt project in Eddy county;
30. a recycling and manufacturing project in McKinley county;
31. a wood products manufacturer in Santa Fe county;
32. a downtown revitalization project in Grant county;
33. a downtown revitalization project in Quay county;

34. a metal fabrication manufacturing facility in San Juan county;
35. an optics production manufacturing facility in Santa Fe county;
36. a food processing facility and an organic wholesale distribution facility in Curry county;
37. expansion of a food services facility in Bernalillo county;
38. a wood manufacturing project in Cibola county;
39. a downtown revitalization project in Taos county;
40. a biofuel manufacturing facility in Roosevelt county;
41. an alternative energy project in Curry county;
42. a biomass project in Torrance county;
43. a solar photovoltaic project in Bernalillo, Sandoval or San Juan county;
44. a distribution warehousing project in Dona Ana county;
45. a recreation and entertainment project in Grant county;
46. a biodiesel and agricultural processing facility in Hidalgo county;
47. a medical complex in Grant county; and
48. a film and media project in Sandoval county.

Chapter 42 Section 2 Laws 2008

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

House Bill 245, as amended, with emergency clause

Approved February 28, 2008

LAWS 2008, CHAPTER 43

AN ACT

RELATING TO ELECTIONS; ALLOWING COMMUNITY COLLEGE ELECTIONS TO BE HELD IN CONJUNCTION WITH SCHOOL DISTRICT ELECTIONS.

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

Chapter 43 Section 1 Laws 2008

Section 1. Section 21-13-8 NMSA 1978 (being Laws 1963, Chapter 17, Section 7, as amended) is amended to read:

"21-13-8. COMMUNITY COLLEGE BOARD.--

A. Community college board members shall be over twenty-one years of age, qualified electors and residents of the community college district.

B. Community college board members shall be elected for staggered terms of six years beginning on April 1 succeeding their elections. Elections shall be held:

(1) in conjunction with regular school district elections on the first Tuesday of February in each odd-numbered year if the community college board and school board agree to hold their elections at the same time; or

(2) on the date otherwise prescribed by the Community College Act.

C. All vacancies caused in any other manner than by the expiration of the term of office shall be filled by appointment by the remaining members. An individual appointed by the remaining members of the board to fill a vacancy in office shall serve until the next community college board election, at which time candidates shall file for and be elected to fill the vacant position to serve the remainder of the unexpired term.

D. A community college board shall select from its members a chair and secretary who shall serve in these offices until the next regular community college board election. After each community college board election, the members shall proceed to reorganize."

Chapter 43 Section 2 Laws 2008

Section 2. Section 21-13-18.1 NMSA 1978 (being Laws 1993, Chapter 75, Section 3) is amended to read:

"21-13-18.1. REGULAR COMMUNITY COLLEGE ELECTION-- RESOLUTION-- PUBLICATION.--

A. The community college board shall issue a resolution in English and Spanish calling for a regular community college election within the community college district on the date prescribed by the Community College Act. The resolution shall be filed with each county clerk in the community college district on the third Friday in December or, if the election is held in conjunction with a school district election, the last Tuesday in November of each even- numbered year.

B. The resolution shall specify:

- (1) the date the election will be held;
- (2) the positions on the board to be filled;
- (3) the date on which declarations of candidacy are to be filed;
- (4) the date on which declarations of intent to be a write-in candidate are to be filed;
- (5) any questions to be submitted to the voters;
- (6) the precincts in each county in which the election is to be held and the location of each polling place;
- (7) the hours each polling place will be open; and
- (8) the date and time of the closing of the registration books by the county clerks as required by law.

C. In the event that only one candidate files a declaration of candidacy for each position to be filled at an election and no declared write-in candidates have filed for any position in which there is any other candidate and there are no questions or bond issues on the ballot, only one polling place for the election shall be designated and it shall be in the office of the county clerk of the county in which the community college is located.

D. In any election held under the Community College Act, the county clerk shall perform the duties of the precinct board and no other precinct board shall be appointed."

House Bill 249

Approved February 28, 2008

LAWS 2008, CHAPTER 44

AN ACT

RELATING TO CHIROPRACTIC LICENSURE; ESTABLISHING THE ADVANCED PRACTICE CHIROPRACTIC CERTIFICATION REGISTRY FOR CHIROPRACTIC PHYSICIANS; AUTHORIZING A CERTIFIED ADVANCED PRACTICE CHIROPRACTIC PHYSICIAN TO ISSUE PRESCRIPTIONS; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978.

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

Chapter 44 Section 1 Laws 2008

Section 1. A new section of the Chiropractic Physician Practice Act is enacted to read:

"ADVANCED PRACTICE CHIROPRACTIC CERTIFICATION REGISTRY ESTABLISHED.--The board shall establish by rule the advanced practice chiropractic certification registry. A chiropractic physician authorized by the board to use the title "certified advanced practice chiropractic physician" shall have prescriptive authority for therapeutic and diagnostic purposes as authorized by statute. Only a chiropractic physician included in the advanced practice chiropractic certification registry may use the title certified advanced practice chiropractic physician, and it is unlawful for a person to use the certified advanced practice chiropractic physician title unless the person is included in the advanced practice chiropractic certification registry. The advanced practice chiropractic certification registry shall include a chiropractic physician who applies for the designation and:

- A. holds a chiropractic license in good standing;
- B. has completed three years of post-graduate clinical chiropractic practice or equivalent clinical experience as established by the board;
- C. has an advanced practice chiropractic certification by a nationally recognized credentialing agency providing credentialing and demonstrated competency by examination and additionally, after December 31, 2012, successful completion of a graduate degree in a chiropractic clinical practice specialty;
- D. has completed a minimum of ninety clinical and didactic contact course hours in pharmacology, pharmacognosy, medication administration and toxicology certified by an examination from an institution of higher education approved by the board and the New Mexico medical board; and
- E. has completed annual continuing education for advanced practice chiropractic physicians as set by the board."

Chapter 44 Section 2 Laws 2008

Section 2. A new section of the Chiropractic Physician Practice Act is enacted to read:

"CERTIFIED ADVANCED PRACTICE CHIROPRACTIC PHYSICIAN AUTHORITY DEFINED.--A certified advanced practice chiropractic physician may prescribe, administer and dispense herbal medicines, homeopathic medicines, vitamins, minerals, enzymes, glandular products, naturally derived substances, protomorphogens, live cell products, gerovital, amino acids, dietary supplements, foods for special dietary use, bioidentical hormones, sterile water, sterile saline, sarapin or its generic, caffeine, procaine, oxygen, epinephrine and vapocoolants. A formulary shall be developed by the board and approved by the New Mexico medical board and the board of pharmacy."

Chapter 44 Section 3 Laws 2008

Section 3. A new section of the Chiropractic Physician Practice Act is enacted to read:

"USE OF CHIROPRACTIC NAME LIMITED.--The terms "chiropractor", "chiropractic physician" or "chiropractic" may be used only by persons licensed pursuant to the Chiropractic Physician Practice Act."

Chapter 44 Section 4 Laws 2008

Section 4. Section 26-1-2 NMSA 1978 (being Laws 1967, Chapter 23, Section 2, as amended) is amended to read:

"26-1-2. DEFINITIONS.--As used in the New Mexico Drug, Device and Cosmetic Act:

A. "board" means the board of pharmacy or its duly authorized agent;

B. "person" includes an individual, partnership, corporation, association, institution or establishment;

C. "biological product" means a virus, therapeutic serum, toxin, antitoxin or analogous product applicable to the prevention, treatment or cure of diseases or injuries of humans and domestic animals and, as used within the meaning of this definition:

(1) a "virus" is interpreted to be a product containing the minute living cause of an infectious disease and includes filterable viruses, bacteria, rickettsia, fungi and protozoa;

(2) a "therapeutic serum" is a product obtained from blood by removing the clot or clot components and the blood cells;

(3) a "toxin" is a product containing a soluble substance poisonous to laboratory animals or humans in doses of one milliliter or less of the product and having the property, following the injection of nonfatal doses into an animal, or causing to be produced therein another soluble substance that specifically neutralizes the poisonous substance and that is demonstrable in the serum of the animal thus immunized; and

(4) an "antitoxin" is a product containing the soluble substance in serum or other body fluid of an immunized animal that specifically neutralizes the toxin against which the animal is immune;

D. "controlled substance" means a drug, substance or immediate precursor enumerated in Schedules I through V of the Controlled Substances Act;

E. "drug" means articles:

(1) recognized in an official compendium;

(2) intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or other animals and includes the domestic animal biological products regulated under the federal Virus-Serum-Toxin Act,

37 Stat 832-833, 21 U.S.C. 151-158, and the biological products applicable to humans regulated under Federal 58

Stat 690, as amended, 42 U.S.C. 216, Section 351, 58 Stat 702, as amended, and 42 U.S.C. 262;

(3) other than food that affect the structure or any function of the human body or the bodies of other animals; and

(4) intended for use as a component of Paragraph (1), (2) or (3) of this subsection, but does not include devices or their component parts or accessories;

F. "dangerous drug" means a drug, other than a controlled substance enumerated in Schedule I of the Controlled Substances Act, that because of a potentiality for harmful effect or the method of its use or the collateral measures necessary to its use is not safe except under the supervision of a practitioner licensed by law to direct the use of such drug and hence for which adequate directions for use cannot be prepared. "Adequate directions for use" means directions under which the layperson can use a drug or device safely and for the purposes for which it is intended. A drug shall be dispensed only upon the prescription of a practitioner licensed by law to administer or prescribe the drug if it:

(1) is a habit-forming drug and contains any quantity of a narcotic or hypnotic substance or a chemical derivative of such substance that has been found under the federal act and the board to be habit forming;

(2) because of its toxicity or other potential for harmful effect or the method of its use or the collateral measures necessary to its use is not safe for use except under the supervision of a practitioner licensed by law to administer or prescribe the drug;

(3) is limited by an approved application by Section 505 of the federal act to the use under the professional supervision of a practitioner licensed by law to administer or prescribe the drug;

(4) bears the legend: "Caution: federal law prohibits dispensing without prescription.";

(5) bears the legend: "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian."; or

(6) bears the legend "RX only";

G. "counterfeit drug" means a drug that is deliberately and fraudulently mislabeled with respect to its identity, ingredients or sources. Types of such pharmaceutical counterfeits may include:

(1) "identical copies", which are counterfeits made with the same ingredients, formulas and packaging as the originals but not made by the original manufacturer;

(2) "look-alikes", which are products that feature high-quality packaging and convincing appearances but contain little or no active ingredients and may contain harmful substances;

(3) "rejects", which are drugs that have been rejected by the manufacturer for not meeting quality standards; and

(4) "relabels", which are drugs that have passed their expiration dates or have been distributed by unauthorized foreign sources and may include placebos created for late-phase clinical trials;

H. "device", except when used in Subsection P of this section and in Subsection G of Section 26-1-3, Subsection L and Paragraph (4) of Subsection A of Section 26- 1-11 and Subsection C of Section 26-1-24 NMSA 1978, means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent or other similar or related article, including any component, part or accessory, that is:

(1) recognized in an official compendium;

(2) intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease in humans or other animals; or

(3) intended to affect the structure or a function of the human body or the bodies of other animals and that does not achieve any of its principal intended purposes through chemical action within or on the human body or the bodies of other animals and that is not dependent on being metabolized for achievement of any of its principal intended purposes;

I. "prescription" means an order given individually for the person for whom prescribed, either directly from a licensed practitioner or the practitioner's agent to the pharmacist, including by means of electronic transmission, or indirectly by means of a written order signed by the prescriber, and bearing the name and address of the prescriber, the prescriber's license classification, the name and address of the patient, the name and quantity of the drug prescribed, directions for use and the date of issue;

J. "practitioner" means a certified advanced practice chiropractic physician, physician, doctor of oriental medicine, dentist, veterinarian, certified nurse practitioner, clinical nurse specialist, pharmacist, pharmacist clinician, certified nurse-midwife, physician assistant, prescribing psychologist or other person licensed or certified to prescribe and administer drugs that are subject to the New Mexico Drug, Device and Cosmetic Act;

K. "cosmetic" means:

(1) articles intended to be rubbed, poured, sprinkled or sprayed on, introduced into or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness or altering the appearance; and

(2) articles intended for use as a component of any articles enumerated in Paragraph (1) of this subsection, except that the term shall not include soap;

L. "official compendium" means the official United States pharmacopoeia national formulary or the official homeopathic pharmacopoeia of the United States or any supplement to either of them;

M. "label" means a display of written, printed or graphic matter upon the immediate container of an article. A requirement made by or under the authority of the New Mexico Drug, Device and Cosmetic Act that any word, statement or other information appear on the label shall not be considered to be complied with unless the word, statement or other information also appears on the outside container or wrapper,

if any, of the retail package of the article or is easily legible through the outside container or wrapper;

N. "immediate container" does not include package liners;

O. "labeling" means all labels and other written, printed or graphic matter:

(1) on an article or its containers or wrappers; or

(2) accompanying an article;

P. "misbranded" means a label to an article that is misleading. In determining whether the label is misleading, there shall be taken into account, among other things, not only representations made or suggested by statement, word, design, device or any combination of the foregoing, but also the extent to which the label fails to reveal facts material in the light of such representations or material with respect to consequences that may result from the use of the article to which the label relates under the conditions of use prescribed in the label or under such conditions of use as are customary or usual;

Q. "advertisement" means all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or that are likely to induce, directly or indirectly, the purchase of drugs, devices or cosmetics;

R. "antiseptic", when used in the labeling or advertisement of an antiseptic, shall be considered to be a representation that it is a germicide, except in the case of a drug purporting to be or represented as an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder or such other use as involves prolonged contact with the body;

S. "new drug" means a drug:

(1) the composition of which is such that the drug is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety and efficacy of drugs, as safe and effective for use under the conditions prescribed, recommended or suggested in the labeling thereof; or

(2) the composition of which is such that the drug, as a result of investigation to determine its safety and efficacy for use under such conditions, has become so recognized, but that has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions;

T. "contaminated with filth" applies to a drug, device or cosmetic not securely protected from dirt, dust and, as far as may be necessary by all reasonable means, from all foreign or injurious contaminations, or a drug, device or cosmetic found to contain dirt, dust, foreign or injurious contamination or infestation;

U. "selling of drugs, devices or cosmetics" shall be considered to include the manufacture, production, processing, packing, exposure, offer, possession and holding of any such article for sale and the sale and the supplying or applying of any such article in the conduct of a drug or cosmetic establishment;

V. "color additive" means a material that:

(1) is a dye, pigment or other substance made by a process of synthesis or similar artifice or extracted, isolated or otherwise derived, with or without intermediate or final change of identity, from a vegetable, mineral, animal or other source; or

(2) when added or applied to a drug or cosmetic or to the human body or a part thereof, is capable, alone or through reaction with other substances, of imparting color thereto; except that such term does not include any material that has been or hereafter is exempted under the federal act;

W. "federal act" means the Federal Food, Drug and Cosmetic Act;

X. "restricted device" means a device for which the sale, distribution or use is lawful only upon the written or oral authorization of a practitioner licensed by law to administer, prescribe or use the device and for which the federal food and drug administration requires special training or skills of the practitioner to use or prescribe. This definition does not include custom devices defined in the federal act and exempt from performance standards or premarket approval requirements under Section 520(b) of the federal act;

Y. "prescription device" means a device that, because of its potential for harm, the method of its use or the collateral measures necessary to its use, is not safe except under the supervision of a practitioner licensed in this state to direct the use of such device and for which "adequate directions for use" cannot be prepared, but that bears the label: "Caution: federal law restricts this device to sale by or on the order of a _____", the blank to be filled with the word "physician", "physician assistant", "certified advanced practice chiropractic physician", "doctor of oriental medicine", "dentist", "veterinarian", "certified nurse practitioner", "clinical nurse specialist", "pharmacist", "pharmacist clinician" or "certified nurse-midwife" or with the descriptive designation of any other practitioner licensed in this state to use or order the use of the device;

Z. "valid practitioner-patient relationship" means a professional relationship, as defined by the practitioner's licensing board, between the practitioner and the patient; and

AA. "pedigree" means the recorded history of a drug."

Chapter 44 Section 5 Laws 2008

Section 5. Section 30-31-2 NMSA 1978 (being Laws 1972, Chapter 84, Section 2, as amended) is amended to read:

"30-31-2. DEFINITIONS.--As used in the Controlled Substances Act:

A. "administer" means the direct application of a controlled substance by any means to the body of a patient or research subject by a practitioner or the practitioner's agent;

B. "agent" includes an authorized person who acts on behalf of a manufacturer, distributor or dispenser. It does not include a common or contract carrier, public warehouseperson or employee of the carrier or warehouseperson;

C. "board" means the board of pharmacy;

D. "bureau" means the narcotic and dangerous drug section of the criminal division of the United States department of justice, or its successor agency;

E. "controlled substance" means a drug or substance listed in Schedules I through V of the Controlled Substances Act or rules adopted thereto;

F. "counterfeit substance" means a controlled substance that bears the unauthorized trademark, trade name, imprint, number, device or other identifying mark or likeness of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the controlled substance;

G. "deliver" means the actual, constructive or attempted transfer from one person to another of a controlled substance or controlled substance analog, whether or not there is an agency relationship;

H. "dispense" means to deliver a controlled substance to an ultimate user or research subject pursuant to the lawful order of a practitioner, including the administering, prescribing, packaging, labeling or compounding necessary to prepare the controlled substance for that delivery;

I. "dispenser" means a practitioner who dispenses and includes hospitals, pharmacies and clinics where controlled substances are dispensed;

J. "distribute" means to deliver other than by administering or dispensing a controlled substance or controlled substance analog;

K. "drug" or "substance" means substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any respective supplement to those publications. It does not include devices or their components, parts or accessories;

L. "hashish" means the resin extracted from any part of marijuana, whether growing or not, and every compound, manufacture, salt, derivative, mixture or preparation of such resins;

M. "manufacture" means the production, preparation, compounding, conversion or processing of a controlled substance or controlled substance analog by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance:

(1) by a practitioner as an incident to administering or dispensing a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner, or by the practitioner's agent under the practitioner's supervision, for the purpose of or as an incident to research, teaching or chemical analysis and not for sale;

N. "marijuana" means all parts of the plant cannabis, including any and all varieties, species and subspecies of the genus Cannabis, whether growing or not, the seeds thereof and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds. It does not include the mature stalks of the plant, hashish, tetrahydrocannabinols extracted or isolated from marijuana, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination;

O. "narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation that is a chemical equivalent of any of the substances referred to in Paragraph (1) of this subsection, except the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw, including all parts of the plant of the species *Papaver somniferum* L. except its seeds; or

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves, any salt, compound, isomer, derivative or preparation that is a chemical equivalent of any of these substances except decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine;

P. "opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. "Opiate" does not include, unless specifically designated as controlled under Section 30-31-5 NMSA 1978, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts, dextromethorphan. "Opiate" does include its racemic and levorotatory forms;

Q. "person" means an individual, partnership, corporation, association, institution, political subdivision, government agency or other legal entity;

R. "practitioner" means a physician, certified advanced practice chiropractic physician, doctor of oriental medicine, dentist, physician assistant, certified nurse practitioner, clinical nurse specialist, certified nurse- midwife, prescribing psychologist, veterinarian, pharmacist, pharmacist clinician or other person licensed or certified to prescribe and administer drugs that are subject to the Controlled Substances Act;

S. "prescription" means an order given individually for the person for whom is prescribed a controlled substance, either directly from a licensed practitioner or the practitioner's agent to the pharmacist, including by means of electronic transmission, or indirectly by means of a written order signed by the prescriber, bearing the name and address of the prescriber, the prescriber's license classification, the name and address of the patient, the name and quantity of the drug prescribed, directions for use and the date of issue and in accordance with the Controlled Substances Act or rules adopted thereto;

T. "scientific investigator" means a person registered to conduct research with controlled substances in the course of the person's professional practice or research and includes analytical laboratories;

U. "ultimate user" means a person who lawfully possesses a controlled substance for the person's own use or for the use of a member of the person's household or for administering to an animal under the care, custody and control of the person or by a member of the person's household;

V. "drug paraphernalia" means all equipment, products and materials of any kind that are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance or controlled substance analog in violation of the Controlled Substances Act. It includes:

(1) kits used, intended for use or designed for use in planting, propagating, cultivating, growing or harvesting any species of plant that is a controlled

substance or controlled substance analog or from which a controlled substance can be derived;

(2) kits used, intended for use or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances or controlled substance analogs;

(3) isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant that is a controlled substance;

(4) testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances or controlled substance analogs;

(5) scales or balances used, intended for use or designed for use in weighing or measuring controlled substances or controlled substance analogs;

(6) diluents and adulterants, such as quinine hydrochloride, mannitol, mannite dextrose and lactose, used, intended for use or designed for use in cutting controlled substances or controlled substance analogs;

(7) separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning and refining, marijuana;

(8) blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances or controlled substance analogs;

(9) capsules, balloons, envelopes and other containers used, intended for use or designed for use in packaging small quantities of controlled substances or controlled substance analogs;

(10) containers and other objects used, intended for use or designed for use in storing or concealing controlled substances or controlled substance analogs;

(11) hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances or controlled substance analogs into the human body;

(12) objects used, intended for use or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, such as:

(a) metal, wooden, acrylic, glass, stone, plastic or ceramic pipes, with or without screens, permanent screens, hashish heads or punctured metal bowls;

(b) water pipes;

(c) carburetion tubes and devices;

(d) smoking and carburetion masks;

(e) roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small to hold in the hand;

(f) miniature cocaine spoons and cocaine vials;

(g) chamber pipes;

(h) carburetor pipes;

(i) electric pipes;

(j) air-driven pipes;

(k) chilams;

(l) bongs; or

(m) ice pipes or chillers; and

(13) in determining whether an object is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

(a) statements by the owner or by anyone in control of the object concerning its use;

(b) the proximity of the object, in time and space, to a direct violation of the Controlled Substances Act or any other law relating to controlled substances or controlled substance analogs;

(c) the proximity of the object to controlled substances or controlled substance analogs;

(d) the existence of any residue of a controlled substance or controlled substance analog on the object;

- concerning its use;
- (e) instructions, written or oral, provided with the object
- explain or depict its use;
- (f) descriptive materials accompanying the object that
- (g) the manner in which the object is displayed for sale; and
- (h) expert testimony concerning its use;

W. "controlled substance analog" means a substance other than a controlled substance that has a chemical structure substantially similar to that of a controlled substance in Schedule I, II, III, IV or V or that was specifically designed to produce effects substantially similar to that of controlled substances in Schedule I, II, III, IV or V. Examples of chemical classes in which controlled substance analogs are found include the following:

- (1) phenethylamines;
- (2) N-substituted piperidines;
- (3) morphinans;
- (4) ecgonines;
- (5) quinazolinones;
- (6) substituted indoles; and
- (7) arylcycloalkylamines.

Specifically excluded from the definition of "controlled substance analog" are those substances that are generally recognized as safe and effective within the meaning of the Federal Food, Drug and Cosmetic Act or have been manufactured, distributed or possessed in conformance with the provisions of an approved new drug application or an exemption for investigational use within the meaning of Section 505 of the Federal Food, Drug and Cosmetic Act;

X. "human consumption" includes application, injection, inhalation, ingestion or any other manner of introduction;

Y. "drug-free school zone" means a public school, parochial school or private school or property that is used for a public, parochial or private school purpose and the area within one thousand feet of the school property line, but it does not mean any post-secondary school; and

Z. "valid practitioner-patient relationship" means a professional relationship, as defined by the practitioner's licensing board, between the practitioner and the patient."

Chapter 44 Section 6 Laws 2008

Section 6. Section 30-31B-2 NMSA 1978 (being Laws 1989, Chapter 177, Section 2, as amended by Laws 2004, Chapter 9, Section 2 and by Laws 2004, Chapter 12, Section 2) is amended to read:

"30-31B-2. DEFINITIONS.--As used in the Drug Precursor Act:

A. "administer" means the direct application of a controlled substance by any means to the body of a patient or research subject by a practitioner or the practitioner's agent;

B. "agent" includes an authorized person who acts on behalf of a manufacturer, distributor or dispenser. "Agent" does not include a common or contract carrier, public warehouseperson or employee of the carrier or warehouseperson;

C. "board" means the board of pharmacy;

D. "bureau" means the bureau of narcotics and dangerous drugs of the United States department of justice or its successor agency;

E. "controlled substance" means a drug or substance listed in Schedules I through V of the Controlled Substances Act or regulations adopted thereto;

F. "controlled substance analog" means a substance other than a controlled substance that has a chemical structure substantially similar to that of a controlled substance in Schedule I, II, III, IV or V or that was specifically designed to produce effects substantially similar to that of controlled substances in Schedule I, II, III, IV or V. Examples of chemical classes in which controlled substance analogs are found include, but are not limited to, the following:

- (1) phenethylamines;
- (2) N-substituted piperidines;
- (3) morphinans;
- (4) ecgonines;
- (5) quinazolinones;
- (6) substituted indoles; and

(7) arylcycloalkylamines.

Specifically excluded from the definition of "controlled substance analog" are those substances that are generally recognized as safe and effective within the meaning of the Federal Food, Drug and Cosmetic Act or have been manufactured, distributed or possessed in conformance with the provisions of an approved new drug application or an exemption for investigational use within the meaning of Section 505 of the Federal Food, Drug and Cosmetic Act;

G. "deliver" means the actual, constructive or attempted transfer from one person to another of a controlled substance or controlled substance analog, whether or not there is an agency relationship;

H. "dispense" means to deliver a controlled substance to an ultimate user or research subject pursuant to the lawful order of a practitioner, including the administering, prescribing, packaging, labeling or compounding necessary to prepare the controlled substance for that delivery;

I. "dispenser" means a practitioner who dispenses and includes hospitals, pharmacies and clinics where controlled substances are dispensed;

J. "distribute" means to deliver other than by administering or dispensing a controlled substance or controlled substance analog;

K. "drug" means substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, official national formulary or any respective supplement to these publications. "Drug" does not include devices or their components, parts or accessories;

L. "drug precursor" means a substance, material, compound, mixture or preparation listed in Section 30-31B-3 NMSA 1978 or regulations adopted thereto or any of their salts or isomers. "Drug precursor" specifically excludes those substances, materials, compounds, mixtures or preparations that are prepared for dispensing pursuant to a prescription or over-the-counter distribution as a substance that is generally recognized as safe and effective within the meaning of the Federal Food, Drug and Cosmetic Act or have been manufactured, distributed or possessed in conformance with the provisions of an approved new drug application or an exemption for investigational use within the meaning of Section 505 of the Federal Food, Drug and Cosmetic Act, unless the board makes the findings required pursuant to Subsection B of Section

30-31B-4 NMSA 1978;

M. "immediate precursor" means a substance that is a compound commonly used or produced primarily as an immediate chemical intermediary used in

the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit the manufacture of controlled substances;

N. "license" means a license issued by the board to manufacture, possess, transfer or transport a drug precursor;

O. "manufacture" means the production, preparation, compounding, conversion or processing of a drug precursor by extraction from substances of natural origin, independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by a practitioner:

(1) as an incident to the practitioner's administering or dispensing of a controlled substance in the course of professional practice; or

(2) by the practitioner's agent under the practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis and not for sale;

P. "person" includes an individual, sole proprietorship, partnership, corporation, association, the state or a political subdivision of the state or other legal entity;

Q. "possession" means to actively or constructively exercise dominion over;

R. "practitioner" means a physician, certified advanced practice chiropractic physician, dentist, veterinarian or other person licensed to prescribe and administer drugs that are subject to the Controlled Substances Act;

S. "prescription" means an order given individually for the person for whom is prescribed a controlled substance, either directly from the prescriber to the pharmacist or indirectly by means of a written order signed by the prescriber and in accordance with the Controlled Substances Act or regulations adopted thereto; and

T. "transfer" means the sale, possession with intent to sell, barter or giving away of a drug precursor."

Chapter 44 Section 7 Laws 2008

Section 7. Section 61-4-2 NMSA 1978 (being Laws 1968, Chapter 3, Section 2, as amended) is amended to read:

"61-4-2. DEFINITIONS.--As used in the Chiropractic Physician Practice Act:

A. "advanced practice chiropractic certification registry" means a compendium kept by the board that meets and maintains the board's established credentials for certified advanced practice chiropractic physicians;

B. "certified advanced practice chiropractic physician" means a chiropractic physician who has been included in the advanced practice chiropractic certification registry;

C. "chiropractic" means the science, art and philosophy of things natural, the science of locating and removing interference with the transmissions or expression of nerve forces in the human body by the correction of misalignments or subluxations of the articulations and adjacent structures, more especially those of the vertebral column and pelvis, for the purpose of restoring and maintaining health for treatment of human disease primarily by, but not limited to, adjustment and manipulation of the human structure. It shall include, but not be limited to, the prescribing and administering of all natural agents to assist in the healing act, such as food, water, heat, cold, electricity, mechanical appliances and medical devices; the selling of herbs, nutritional supplements and homeopathic remedies; the administering of a drug by injection by a certified advanced practice chiropractic physician; and any necessary diagnostic procedure, excluding invasive procedures, except as provided by the board by rule and regulation. It shall exclude operative surgery, the prescription or use of controlled or dangerous drugs and the practice of acupuncture;

D. "board" means the chiropractic board;

E. "chiropractic physician" includes doctor of chiropractic, chiropractor and chiropractic physician and means a person who practices chiropractic as defined in the Chiropractic Physician Practice Act; and

F. "chiropractic assistant" means a person who practices under the on-premises supervision of a licensed chiropractic physician."

Chapter 44 Section 8 Laws 2008

Section 8. Section 61-4-3 NMSA 1978 (being Laws 1968, Chapter 3, Section 3, as amended) is amended to read:

"61-4-3. BOARD CREATED--APPOINTMENT--OFFICERS--DUTIES--COMPENSATION.--

A. There is created the "chiropractic board". The board shall be administratively attached to the regulation and licensing department. The board shall consist of six persons. Four shall have been continuously engaged in the practice of chiropractic in New Mexico for five years immediately prior to their appointment. Two persons shall represent the public and shall not have practiced chiropractic in this state or any other jurisdiction. A person shall not be appointed to the board who is an officer

or employee of or who is financially interested in any school or college of chiropractic, medicine, surgery or osteopathy.

B. Members of the board shall be appointed by the governor for staggered terms of five years or less and in a manner that the term of one board member expires on July 1 of each year. A list of five names for each professional member vacancy shall be submitted by the New Mexico chiropractic association to the governor for consideration in the appointment of board members. A vacancy shall be filled by appointment for the unexpired term. Board members shall serve until their successors have been appointed and qualified.

C. The board shall annually elect a chair and a secretary-treasurer. A majority of the board constitutes a quorum. The board shall meet quarterly. Special meetings may be called by the chair and shall be called upon the written request of two members of the board. Notification of special meetings shall be made by certified mail unless such notice is waived by the entire board and the action noted in the minutes. Notice of all regular meetings shall be made by regular mail at least ten days prior to the meeting, and copies of the minutes of all meetings shall be mailed to each board member within thirty days after a meeting.

D. A board member failing to attend three consecutive meetings, either regular or special, shall automatically be removed as a member of the board.

E. The board shall adopt a seal.

F. The board shall promulgate and file, in accordance with the State Rules Act, all rules and regulations necessary for the implementation and enforcement of the provisions of the Chiropractic Physician Practice Act, including educational requirements for a chiropractic assistant.

G. The board, for the purpose of protecting the health and well-being of the citizens of this state and maintaining and continuing informed professional knowledge and awareness, shall establish by regulations adopted in accordance with the provisions of the Uniform Licensing Act mandatory continuing education requirements for chiropractic physicians and certified advanced practice chiropractic physicians licensed in this state.

H. Failure to comply with the rules and regulations adopted by the board shall be grounds for investigation, which may lead to revocation of license.

I. Members of the board shall be reimbursed as provided in the Per Diem and Mileage Act, but shall receive no other compensation, perquisite or allowance for each day necessarily spent in the discharge of their duties."

Chapter 44 Section 9 Laws 2008

Section 9. Section 61-4-4 NMSA 1978 (being Laws 1968, Chapter 3, Section 4, as amended) is amended to read:

"61-4-4. APPLICATION REQUIREMENTS--EVALUATION.--

A. Each applicant for a license to practice chiropractic shall:

(1) make application on forms furnished by the board;

(2) submit evidence on oath satisfactory to the board that the applicant has reached the age of majority, has completed a preliminary education equal to the requirements for graduation from high school, is of good moral character and, after January 1, 1976, except for any student currently enrolled in a college of chiropractic, has completed two years of college-level study in an accredited institution of higher learning and is a graduate of a college of chiropractic that meets the standards of professional education prescribed in Section 61-4-5 NMSA 1978; and

(3) pay in advance to the board fees:

(a) for examination; and

(b) for issuance of a license.

B. In evaluating an application, the board may use the services of a professional background information service that compiles background information regarding applicants from multiple sources.

C. Each applicant for inclusion in the advanced practice chiropractic certification registry shall furnish materials and proof of education and training as established by rule of the board."

Chapter 44 Section 10 Laws 2008

Section 10. Section 61-4-6 NMSA 1978 (being Laws 1968, Chapter 3, Section 6, as amended) is amended to read:

"61-4-6. EXAMINATION--SUBJECTS--METHOD OF TREATMENT--RECORDING LICENSE.--

A. The board shall recognize successful completion of all parts of the examination conducted by the national board of chiropractic examiners.

B. The board shall examine each applicant in the act of chiropractic adjusting, procedures and methods as shall reveal the applicant's qualifications; provided that the board may waive the requirement for the board-administered

examination upon proof of satisfactory completion of the examination conducted by the national board of chiropractic examiners.

C. The board shall issue a license to all applicants whose applications have been filed with and approved by the board and who have paid the required fees and passed either the board-administered examination with a general average of not less than seventy-five percent with no subject below sixty-five percent or the examination conducted by the national board of chiropractic examiners with a general average of not less than seventy-five percent with no subject below sixty-five percent. A license shall be refused to an applicant who fails to make application as provided in this section, fails the examination or fails to pay the required fees.

D. The license, when granted by the board, carries with it the title of doctor of chiropractic and entitles the holder to diagnose using any necessary diagnostic procedures, excluding invasive procedures, except as provided by the board by rule, and treat injuries, deformities or other physical or mental conditions relating to the basic concepts of chiropractic by the use of any methods as provided in this section, including but not limited to palpating, diagnosing, adjusting and treating injuries and defects of human beings by the application of manipulative, manual and mechanical means, including all natural agencies imbued with the healing act, such as food, water, heat, cold, electricity and mechanical appliances, herbs, nutritional supplements and homeopathic remedies, but excluding operative surgery and prescription or use of controlled or dangerous drugs. The holder may also supervise the use of any natural agencies imbued with the healing act, such as food, water, heat, cold, electricity, mechanical appliances, herbs, nutritional supplements and homeopathic remedies administered by a chiropractic assistant.

E. Failure to display the license shall be grounds for the suspension of the license to practice chiropractic until so displayed and shall subject the licensee to the penalties for practicing without a license.

F. The board shall certify a chiropractic physician as a "certified advanced practice chiropractic physician" when the chiropractic physician has demonstrated completion of advanced coursework and met other requirements established in the Chiropractic Physician Practice Act and by rule of the board."

House Bill 275, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 45

AN ACT

RELATING TO FINANCE; AUTHORIZING THE NEW MEXICO FINANCE AUTHORITY TO MAKE LOANS OR GRANTS FOR CERTAIN WATER PROJECTS FROM THE WATER PROJECT FUND; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Chapter 45 Section 1 Laws 2008

Section 1. AUTHORIZATION OF PROJECTS.--Pursuant to the provisions of the Water Project Finance Act, the legislature authorizes the New Mexico finance authority to make loans or grants from the water project fund to the following qualified entities for the following qualifying water projects on terms and conditions established by the water trust board and the New Mexico finance authority:

A. to the Agua Sana water users association in Rio Arriba county for a water project;

B. to the village of Angel Fire in Colfax county for a water project;

C. to the village of Angel Fire in Colfax county for a water conservation and reuse project;

D. to the city of Bloomfield in San Juan county for a water project;

E. to the city of Carlsbad in Eddy county for a water conservation and reuse project;

F. to the Chamberino mutual domestic water users association in Dona Ana county for a water project;

G. to the Claunch Pinto soil and water conservation district in Torrance county for a watershed restoration and management project;

H. to the Cordova mutual domestic water users association in Rio Arriba county for a water conservation and reuse project;

I. to Dona Ana county for a water conservation and reuse project;

J. to the Dona Ana mutual domestic water consumers association in Dona Ana county for a water conservation and reuse project;

K. to the east Torrance soil and water conservation district in Torrance county for a watershed restoration and management project;

L. to the city of Clovis as fiscal agent for the eastern New Mexico rural water authority in Curry county for a regional water project;

M. to El Prado water and sanitation district in Taos county for a water project;

N. to El Valle water alliance in San Miguel county for a water project;

O. to the Eldorado area water and sanitation district in Santa Fe county for a water project;

P. to the city of Espanola in Rio Arriba county for a water project;

Q. to the city of Gallup in McKinley county for a water project;

R. to the greater Chimayo mutual domestic water consumers association in Rio Arriba county for a water project;

S. to the Hachita mutual domestic water consumers association in Grant county for a water project;

T. to the Hanover mutual domestic water consumers association in Grant county for a water project;

U. to the city of Hobbs in Lea county for a water conservation and reuse project;

V. to the Hollywood Ranch domestic water users association in Guadalupe county for a water project;

W. to the town of Hurley in Grant county for a water project;

X. to la asociacion de Agua de los Brazos in Rio Arriba county for a water project;

Y. to the city of Lordsburg in Hidalgo county for a water conservation and reuse project;

Z. to Los Alamos county for a flood prevention project;

AA. to Los Alamos county for a water conservation and treatment project;

BB. to McKinley county for a water project;

CC. to the town of Mesilla in Dona Ana county for a water project;

DD. to the Mora mutual domestic water consumers association in Mora county for a water project;

EE. to the state parks division of the energy, minerals and natural resources department for watershed restoration and management projects in Chaves county;

FF. to the interstate stream commission for an endangered species collaborative project;

GG. to the Nogal mutual domestic water consumers association in Lincoln county for a water project;

HH. to Ohkay Owingeh in Rio Arriba county for a water project;

II. to the city of Raton in Colfax county for a watershed restoration and management project;

JJ. to Rio Arriba county for a water conservation and reuse project;

KK. to the Rio de Chama acequias association in Rio Arriba county for a water project;

LL. to the city of Rio Rancho in Sandoval county for a water conservation and reuse project;

MM. to the Rodeo mutual domestic water consumers association in Hidalgo county for a water project;

NN. to Sandoval county for a water project;

OO. to the Pueblo of Santa Clara in Rio Arriba county for a water project;

PP. to the Santa Fe-Pojoaque soil and water conservation district in Santa Fe county for a flood prevention project;

QQ. to the city of Santa Fe in Santa Fe county for a water project;

RR. to the Southside mutual domestic water consumers association in San Juan county for a water project;

SS. to the town of Taos in Taos county for a water conservation and reuse project;

TT. to the town of Taos in Taos county for a water project;

UU. to the city of Tucumcari in Quay county for a water project;

VV. to the Ute Creek soil and water conservation district in Harding county for a watershed restoration and management project;

WW. to Cibola county to acquire water rights for public use; and

XX. to the city of Rio Rancho in Sandoval county for a flood prevention project.

Chapter 45 Section 2 Laws 2008

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

House Bill 308, as amended, with emergency clause

Approved February 28, 2008

LAWS 2008, CHAPTER 46

AN ACT

RELATING TO TAXATION; CLARIFYING THE PROPERTY OF CERTAIN CHARITABLE NURSING, RETIREMENT OR LONG-TERM CARE ORGANIZATIONS THAT IS NOT SUBJECT TO VALUATION FOR PROPERTY TAXATION PURPOSES; DECLARING AN EMERGENCY.

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

Chapter 46 Section 1 Laws 2008

Section 1. Section 7-36-7 NMSA 1978 (being Laws 1973, Chapter 258, Section 15, as amended) is amended to read:

"7-36-7. PROPERTY SUBJECT TO VALUATION FOR PROPERTY TAXATION PURPOSES.--

A. Except for the property listed in Subsection B of this section or exempt pursuant to Section 7-36-8 NMSA 1978, all property is subject to valuation for property taxation purposes under the Property Tax Code if it has a taxable situs in the state.

B. The following property is not subject to valuation for property taxation purposes under the Property Tax Code:

(1) property exempt from property taxation under the federal or state constitution, federal law, the Property Tax Code or other laws, but:

(a) this does not include property all or a part of the value of which is exempt because of the application of the veteran, disabled veteran or head-of-family exemption;

(b) this provision does not excuse an owner from obligations to report the owner's property as required by regulation of the department adopted under Section 7-38-8.1 NMSA 1978 or to claim its exempt status under Subsection C of Section 7-38-17 NMSA 1978;

(c) this includes property of a museum that: 1) has been granted exemption from the federal income tax by the United States commissioner of internal revenue as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended or renumbered; 2) is used to provide educational services; and 3) grants free admission to each student who attends a public school in the county in which the museum is located; and

(d) this includes property that is operated either as a community to which the Continuing Care Act applies or as a facility licensed by the department of health to operate as a nursing facility, a skilled nursing facility, an adult residential care facility, an intermediate care facility or an intermediate care facility for the developmentally disabled; and is owned by a charitable nursing, retirement or long-term care organization that: 1) has been granted exemption from the federal income tax by the United States commissioner of internal revenue as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended or renumbered; 2) donates or renders gratuitously a portion of its services or facilities; and 3) uses all funds remaining after payment of its usual and necessary expenses of operation, including the payment of liens and encumbrances upon its property, to further its charitable purpose, including the maintenance, improvement or expansion of its facilities;

(2) oil and gas property subject to valuation and taxation under the Oil and Gas Ad Valorem Production Tax Act and the Oil and Gas Production Equipment Ad Valorem Tax Act; and

(3) productive copper mineral property subject to valuation and taxation under the Copper Production Ad Valorem Tax Act; for the purposes of this section, "copper mineral property" means all mineral property and property held in connection with mineral property when seventy-five percent or more, by either weight or value, of the salable mineral extracted from or processed by the mineral property is copper."

Chapter 46 Section 2 Laws 2008

Section 2. APPLICABILITY.--The provisions of this act apply to taxable years beginning on or after January 1, 2008.

Chapter 46 Section 3 Laws 2008

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

House Bill 324, with emergency clause

Approved February 28, 2008

LAWS 2008, CHAPTER 47

AN ACT

RELATING TO EMERGENCY HEALTH CARE; ENACTING THE UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT.

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

Chapter 47 Section 1 Laws 2008

Section 1. SHORT TITLE.--This act may be cited as the "Uniform Emergency Volunteer Health Practitioners Act".

Chapter 47 Section 2 Laws 2008

Section 2. DEFINITIONS.--As used in the Uniform Emergency Volunteer Health Practitioners Act:

A. "disaster relief organization" means an entity that provides emergency or disaster relief services that include health or veterinary services provided by volunteer health practitioners and that:

(1) is designated or recognized as a provider of those services pursuant to a disaster response and recovery plan adopted by an agency of the federal government or the homeland security and emergency management department; or

(2) regularly plans and conducts its activities in coordination with an agency of the federal government or the homeland security and emergency management department;

B. "emergency" means an event or condition that is an emergency, disaster, public health emergency or similar event or condition pursuant to the laws of this state;

C. "emergency declaration" means a declaration of emergency issued by a person authorized to do so pursuant to the laws of this state;

D. "Emergency Management Assistance Compact" means the interstate compact approved by congress by Public Law No. 104-321, 110 Stat. 3877 and codified at Sections 12-10-14 and 12-10-15 NMSA 1978;

E. "entity" means a person other than an individual;

F. "health facility" means an entity licensed pursuant to the laws of this or another state to provide health or veterinary services;

G. "health practitioner" means an individual licensed pursuant to the laws of this or another state to provide health or veterinary services;

H. "health services" means the provision of treatment, care, advice or guidance, or other services or supplies, related to the health or death of individuals or human populations, to the extent necessary to respond to an emergency, including:

(1) the following, concerning the physical or mental condition or functional status of an individual or affecting the structure or function of the body:

(a) preventive, diagnostic, therapeutic, rehabilitative, maintenance or palliative care; and

(b) counseling, assessment, procedures or other services;

(2) the sale or dispensing of a drug, a device, equipment or another item to an individual in accordance with a prescription; and

(3) funeral, cremation, cemetery or other mortuary services;

I. "host entity" means an entity operating in this state that uses volunteer health practitioners to respond to an emergency;

J. "license" means authorization by a state to engage in health or veterinary services that are unlawful without the authorization. "License" includes authorization pursuant to the laws of this state to an individual to provide health or

veterinary services based upon a national certification issued by a public or private entity;

K. "person" means an individual, corporation, business trust, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency or instrumentality or any other legal or commercial entity;

L. "scope of practice" means the extent of the authorization to provide health or veterinary services granted to a health practitioner by a license issued to the practitioner in the state in which the principal part of the practitioner's services are rendered, including any conditions imposed by the licensing authority;

M. "state" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States;

N. "veterinary services" means the provision of treatment, care, advice or guidance, or other services or supplies, related to the health or death of an animal or to animal populations, to the extent necessary to respond to an emergency, including:

(1) the diagnosis, treatment or prevention of an animal disease, injury or other physical or mental condition by the prescription, administration or dispensing of a vaccine, medicine, surgery or therapy;

(2) the use of a procedure for reproductive management; and

(3) the monitoring and treatment of animal populations for diseases that have spread or demonstrate the potential to spread to humans; and

O. "volunteer health practitioner" means a health practitioner who provides health or veterinary services, whether or not the practitioner receives compensation for those services. "Volunteer health practitioner" does not include a practitioner who receives compensation pursuant to a preexisting employment relationship with a host entity or affiliate that requires the practitioner to provide health services in this state, unless the practitioner is not a resident of this state and is employed by a disaster relief organization providing services in this state while an emergency declaration is in effect.

Chapter 47 Section 3 Laws 2008

Section 3. APPLICABILITY TO VOLUNTEER HEALTH PRACTITIONERS.--The Uniform Emergency Volunteer Health Practitioners Act applies to volunteer health practitioners registered with a registration system that complies with Section 5 of that act and who provide health or veterinary services in this state for a host entity while an emergency declaration is in effect.

Chapter 47 Section 4 Laws 2008

Section 4. REGULATION OF SERVICES DURING EMERGENCY.--

A. While an emergency declaration is in effect, the homeland security and emergency management department may limit, restrict or otherwise regulate:

- (1) the duration of practice by volunteer health practitioners;
 - (2) the geographical areas in which volunteer health practitioners may practice;
 - (3) the types of volunteer health practitioners who may practice;
- and
- (4) any other matters necessary to coordinate effectively the provision of health or veterinary services during the emergency.

B. An order issued pursuant to Subsection A of this section may take effect immediately, without prior notice or comment.

C. A host entity that uses volunteer health practitioners to provide health or veterinary services in this state shall:

- (1) consult and coordinate its activities with the homeland security and emergency management department to the extent practicable to provide for the efficient and effective use of volunteer health practitioners; and
- (2) comply with any laws other than the Uniform Emergency Volunteer Health Practitioners Act relating to the management of emergency health or veterinary services, including the Emergency Medical Services Act and the All Hazard Emergency Management Act.

Chapter 47 Section 5 Laws 2008

Section 5. VOLUNTEER HEALTH PRACTITIONER REGISTRATION SYSTEMS.--

A. To qualify as a volunteer health practitioner registration system, a system shall:

- (1) accept applications for the registration of volunteer health practitioners before or during an emergency;
- (2) include information about the licensure and good standing of health practitioners that is accessible by authorized persons;

(3) be capable of confirming the accuracy of information concerning whether a health practitioner is licensed and in good standing before health services or veterinary services are provided pursuant to the Uniform Emergency Volunteer Health Practitioners Act; and

(4) meet one of the following conditions:

(a) be an emergency system for advance registration of volunteer health care practitioners established by a state and funded through the health resources services administration pursuant to Section 319I of the federal Public Health Service Act, 42 U.S.C. Section 247d-7b, as amended;

(b) be a local unit consisting of trained and equipped emergency response, public health and medical personnel formed pursuant to Section 2801 of the Public Health Service Act, 42 U.S.C. Section 300hh, as amended;

(c) be operated by a: 1) disaster relief organization; 2) licensing board; 3) national or regional association of licensing boards or health practitioners; 4) health facility that provides comprehensive inpatient and outpatient health care services, including a tertiary care and teaching hospital; or 5) governmental entity; or

(d) be designated by the homeland security and emergency management department as a registration system for purposes of the Uniform Emergency Volunteer Health Practitioners Act.

B. While an emergency declaration is in effect, the homeland security and emergency management department, a person authorized to act on behalf of the homeland security and emergency management department or a host entity may confirm whether volunteer health practitioners used in this state are registered with a registration system that complies with Subsection A of this section. Confirmation is limited to obtaining identities of the volunteer health practitioners from the system and determining whether the system indicates that the volunteer health practitioners are licensed and in good standing.

C. Upon request of a person in this state authorized pursuant to Subsection B of this section or a similarly authorized person in another state, a registration system located in this state shall notify the person of the identities of volunteer health practitioners and whether the volunteer health practitioners are licensed and in good standing.

D. A host entity is not required to use the services of a volunteer health practitioner even if the volunteer health practitioner is registered with a registration system that indicates that the volunteer health practitioner is licensed and in good standing.

Chapter 47 Section 6 Laws 2008

Section 6. RECOGNITION OF VOLUNTEER HEALTH PRACTITIONERS LICENSED IN OTHER STATES.--

A. While an emergency declaration is in effect, a volunteer health practitioner registered with a registration system that complies with Section 5 of the Uniform Emergency Volunteer Health Practitioners Act and licensed and in good standing in the state upon which the volunteer health practitioner's registration is based may practice in this state to the extent authorized by that act as if the volunteer health practitioner were licensed in this state.

B. A volunteer health practitioner qualified pursuant to Subsection A of this section is not entitled to the protections of the Uniform Emergency Volunteer Health Practitioners Act if the volunteer health practitioner is licensed in more than one state and any license of the volunteer health practitioner is suspended, revoked or subject to an agency order limiting or restricting practice privileges or has been voluntarily terminated under threat of sanction.

Chapter 47 Section 7 Laws 2008

Section 7. NO EFFECT ON CREDENTIALING AND PRIVILEGING.--

A. As used in this section:

(1) "credentialing" means obtaining, verifying and assessing the qualifications of a health practitioner to provide treatment, care or services in or for a health facility; and

(2) "privileging" means the authorizing by an appropriate authority, such as a governing body, of a health practitioner to provide specific treatment, care or services at a health facility subject to limits based on factors that include license, education, training, experience, competence, health status and specialized skill.

B. The Uniform Emergency Volunteer Health Practitioners Act does not affect credentialing or privileging standards of a health facility and does not preclude a health facility from waiving or modifying those standards while an emergency declaration is in effect.

Chapter 47 Section 8 Laws 2008

Section 8. PROVISION OF VOLUNTEER HEALTH OR VETERINARY SERVICES--ADMINISTRATIVE SANCTIONS.--

A. Subject to Subsections B and C of this section, a volunteer health practitioner shall adhere to the scope of practice for a similarly licensed practitioner established by the licensing provisions, practice acts or other laws of this state.

B. Except as otherwise provided in Subsection C of this section, the Uniform Emergency Volunteer Health Practitioners Act does not authorize a volunteer health practitioner to provide services that are outside the volunteer health practitioner's scope of practice, even if a similarly licensed practitioner in this state would be permitted to provide the services.

C. The homeland security and emergency management department may modify or restrict the health or veterinary services that volunteer health practitioners may provide pursuant to the Uniform Emergency Volunteer Health Practitioners Act. An order pursuant to this subsection may take effect immediately, without prior notice or comment.

D. A host entity may restrict the health or veterinary services that a volunteer health practitioner may provide pursuant to the Uniform Emergency Volunteer Health Practitioners Act.

E. A volunteer health practitioner does not engage in unauthorized practice unless the volunteer health practitioner has reason to know of any limitation, modification or restriction pursuant to the provisions of this section or that a similarly licensed practitioner in this state would not be permitted to provide the services. A volunteer health practitioner has reason to know of a limitation, modification or restriction or that a similarly licensed practitioner in this state would not be permitted to provide a service if:

(1) the volunteer health practitioner knows the limitation, modification or restriction exists or that a similarly licensed practitioner in this state would not be permitted to provide the service; or

(2) from all the facts and circumstances known to the volunteer health practitioner at the relevant time, a reasonable person would conclude that the limitation, modification or restriction exists or that a similarly licensed practitioner in this state would not be permitted to provide the service.

F. In addition to the authority granted by law of this state other than the Uniform Emergency Volunteer Health Practitioners Act to regulate the conduct of health practitioners, a licensing board or other disciplinary authority in this state:

(1) may impose administrative sanctions upon a health practitioner licensed in this state for conduct outside of this state in response to an out-of-state emergency;

(2) may impose administrative sanctions upon a practitioner not licensed in this state for conduct in this state in response to an in-state emergency; and

(3) shall report any administrative sanctions imposed upon a practitioner licensed in another state to the appropriate licensing board or other disciplinary authority in any other state in which the practitioner is known to be licensed.

G. In determining whether to impose administrative sanctions pursuant to Subsection F of this section, a licensing board or other disciplinary authority shall consider the circumstances in which the conduct took place, including any exigent circumstances, and the practitioner's scope of practice, education, training, experience and specialized skill.

Chapter 47 Section 9 Laws 2008

Section 9. RELATION TO OTHER LAWS.--

A. The Uniform Emergency Volunteer Health Practitioners Act does not limit rights, privileges or immunities provided to volunteer health practitioners by laws other than the Uniform Emergency Volunteer Health Practitioners Act. Except as otherwise provided in Subsection B of this section, the Uniform Emergency Volunteer Health Practitioners Act does not affect requirements for the use of health practitioners pursuant to the Emergency Management Assistance Compact.

B. The homeland security and emergency management department, pursuant to the provisions of the Emergency Management Assistance Compact, may incorporate into the emergency forces of this state volunteer health practitioners who are not officers or employees of this state, a political subdivision of this state or a municipality or other local government within this state.

Chapter 47 Section 10 Laws 2008

Section 10. REGULATORY AUTHORITY.--The homeland security and emergency management department may promulgate rules to implement the Uniform Emergency Volunteer Health Practitioners Act. In doing so, the homeland security and emergency management department shall consult with and consider the recommendations of the entity established to coordinate the implementation of the Emergency Management Assistance Compact and shall also consult with and consider rules promulgated by similarly empowered agencies in other states to promote uniformity of application of the Uniform Emergency Volunteer Health Practitioners Act and make the emergency response systems in the various states reasonably compatible.

Chapter 47 Section 11 Laws 2008

Section 11. RIGHTS, PRIVILEGES AND IMMUNITIES FOR VOLUNTEER HEALTH PRACTITIONERS.--A volunteer health practitioner providing health or veterinary services pursuant to the Uniform Emergency Volunteer Health Practitioners Act is entitled to all the rights, privileges or immunities provided by the laws of this state other than the Uniform Emergency Volunteer Health Practitioners Act.

Chapter 47 Section 12 Laws 2008

Section 12. WORKERS' COMPENSATION COVERAGE.--

A. As used in this section, "injury" means a physical or mental injury or disease for which an employee of this state who is injured or contracts the disease in the course of the employee's employment would be entitled to benefits under the workers' compensation law of this state.

B. A volunteer health practitioner who provides health or veterinary services pursuant to the Uniform Emergency Volunteer Health Practitioners Act and who is not otherwise eligible for benefits for injury or death under the workers' compensation law of this or another state may elect to be deemed an employee of this state for the purpose of receiving such benefits by making a claim in accordance with the workers' compensation law of this state.

C. The department of health shall promulgate and adopt rules, enter into agreements with other states or take other measures to facilitate the receipt of benefits for injury or death under the workers' compensation law of this state by volunteer health practitioners who reside in other states and may waive or modify requirements for filing, processing and paying claims that unreasonably burden the practitioners. To promote uniformity of application of the Uniform Emergency Volunteer Health Practitioners Act with other states that enact similar legislation, the department of health shall consult with and consider the approaches to filing, processing and paying claims taken by agencies with similar authority in other states.

Chapter 47 Section 13 Laws 2008

Section 13. UNIFORMITY OF APPLICATION AND CONSTRUCTION.--In applying and construing the Uniform Emergency Volunteer Health Practitioners Act, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Chapter 47 Section 14 Laws 2008

Section 14. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

House Bill 348, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 48

AN ACT

RELATING TO DOMESTIC AFFAIRS; REVISING THE BASIC CHILD SUPPORT SCHEDULE.

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

Chapter 48 Section 1 Laws 2008

Section 1. Section 40-4-11.1 NMSA 1978 (being Laws 1988, Chapter 87, Section 2, as amended) is amended to read:

"40-4-11.1. CHILD SUPPORT--GUIDELINES.--

A. In any action to establish or modify child support, the child support guidelines as set forth in this section shall be applied to determine the child support due and shall be a rebuttable presumption for the amount of such child support. Every decree or judgment of child support that deviates from the guideline amount shall contain a statement of the reasons for the deviation.

B. The purposes of the child support guidelines are to:

(1) establish as state policy an adequate standard of support for children, subject to the ability of parents to pay;

(2) make awards more equitable by ensuring more consistent treatment of persons in similar circumstances; and

(3) improve the efficiency of the court process by promoting settlements and giving courts and the parties guidance in establishing levels of awards.

C. For purposes of the guidelines specified in this section:

(1) "income" means actual gross income of a parent if employed to full capacity or potential income if unemployed or underemployed. Income need not be imputed to the primary custodial parent actively caring for a child of the parties who is under the age of six or disabled. If income is imputed, a reasonable child care expense may be imputed. The gross income of a parent means only the income and earnings of that parent and not the income of subsequent spouses, notwithstanding the community nature of both incomes after remarriage; and

(2) "gross income" includes income from any source and includes but is not limited to income from salaries, wages, tips, commissions, bonuses, dividends, severance pay, pensions, interest, trust income, annuities, capital gains, social security benefits, workers' compensation benefits, unemployment insurance benefits, disability insurance benefits, significant in-kind benefits that reduce personal living expenses, prizes and alimony or maintenance received, provided:

(a) "gross income" shall not include benefits received from means-tested public assistance programs or child support received by a parent for the support of other children;

(b) for income from self-employment, rent, royalties, proprietorship of a business or joint ownership of a partnership or closely held corporation, "gross income" means gross receipts minus ordinary and necessary expenses required to produce such income, but ordinary and necessary expenses do not include expenses determined by the court to be inappropriate for purposes of calculating child support;

(c) "gross income" shall not include the amount of alimony payments actually paid in compliance with a court order;

(d) "gross income" shall not include the amount of child support actually paid by a parent in compliance with a court order for the support of prior children; and

(e) "gross income" shall not include a reasonable amount for a parent's obligation to support prior children who are in that parent's custody. A duty to support subsequent children is not ordinarily a basis for reducing support owed to children of the parties but may be a defense to a child support increase for the children of the parties. In raising such a defense, a party may use Table A as set forth in Subsection K of this section to calculate the support for the subsequent children.

D. As used in this section:

(1) "children of the parties" means the natural or adopted child or children of the parties to the action before the court but shall not include the natural or adopted child or children of only one of the parties;

(2) "basic visitation" means a custody arrangement whereby one parent has physical custody and the other parent has visitation with the children of the parties less than thirty-five percent of the time. Such arrangements can exist where the parties share responsibilities pursuant to Section 40-4-9.1 NMSA 1978; and

(3) "shared responsibility" means a custody arrangement whereby each parent provides a suitable home for the children of the parties, when the children

of the parties spend at least thirty-five percent of the year in each home and the parents significantly share the duties, responsibilities and expenses of parenting.

E. The basic child support obligation shall be calculated based on the combined income of both parents and shall be paid by them proportionately pursuant to Subsection K of this section.

F. Physical custody adjustments shall be made as follows:

(1) for basic visitation situations, the basic child support obligation shall be calculated using the basic child support schedule, Worksheet A and instructions contained in Subsection K of this section. The court may provide for a partial abatement of child support for visitations of one month or longer; and

(2) for shared responsibility arrangements, the basic child support obligation shall be calculated using the basic child support schedule, Worksheet B and instructions contained in Subsection K of this section.

G. In shared responsibility situations, each parent retains the percentage of the basic support obligation equal to the number of twenty-four-hour days of responsibility spent by each child with each respective parent divided by three hundred sixty-five.

H. The cost of providing medical and dental insurance for the children of the parties and the net reasonable child-care costs incurred on behalf of these children due to employment or job search of either parent shall be paid by each parent in proportion to that parent's income, in addition to the basic obligation.

I. The child support may also include the payment of the following expenses not covered by the basic child support obligation:

(1) any extraordinary medical, dental and counseling expenses incurred on behalf of the children of the parties. Such extraordinary expenses are uninsured expenses in excess of one hundred dollars (\$100) per child per year;

(2) any extraordinary educational expenses for children of the parties; and

(3) transportation and communication expenses necessary for long distance visitation or time sharing.

J. Whenever application of the child support guidelines set forth in this section requires a person to pay to another person more than forty percent of the paying person's gross income for a single child support obligation for current support, there shall be a presumption of a substantial hardship, justifying a deviation from the guidelines.

K. BASIC CHILD SUPPORT SCHEDULE.--

BASIC CHILD SUPPORT SCHEDULE

Both parents'

Combined

Gross Monthly Number of children

Income	1	2	3	4	5	6
800	100	150	150	150	150	150
850	114	150	150	150	150	150
900	140	154	155	156	158	159
950	165	179	181	183	184	186
1,000	180	205	207	209	211	212
1,050	186	230	233	235	237	239
1,100	196	256	258	261	263	265
1,150	212	282	285	288	291	294
1,200	228	311	320	323	327	330
1,250	243	329	355	358	362	366
1,300	258	347	389	394	398	402
1,350	273	365	418	429	433	438
1,400	282	383	438	464	469	474
1,450	291	400	457	496	504	509
1,500	299	418	476	516	538	544
1,550	307	435	495	536	572	578
1,600	316	452	513	556	594	613

1,650	324	469	532	576	615	648
1,700	332	482	551	596	636	672
1,750	341	494	570	616	657	694
1,800	349	506	588	636	678	716
1,850	357	518	607	656	699	738
1,900	366	530	624	676	720	760
1,950	374	542	638	696	741	782
2,000	382	553	652	715	762	804
2,050	390	565	666	735	783	826
2,100	399	577	680	751	804	848
2,150	407	589	694	766	824	869
2,200	415	601	708	782	845	891
2,250	423	613	721	797	866	913
2,300	431	625	735	813	885	935
2,350	440	637	749	828	902	957
2,400	448	648	763	843	919	978
2,450	453	656	772	853	930	994
2,500	458	664	781	863	940	1,009
2,550	463	671	790	873	951	1,022
2,600	469	678	799	882	961	1,033
2,650	474	686	807	892	972	1,045
2,700	479	693	816	902	982	1,056
2,750	484	701	825	911	993	1,067

2,800	489	708	833	921	1,003	1,079
2,850	494	715	842	930	1,014	1,090
2,900	499	722	850	939	1,023	1,100
2,950	503	728	857	946	1,031	1,109
3,000	507	734	863	954	1,040	1,118
3,050	511	740	870	962	1,048	1,127
3,100	515	746	877	969	1,056	1,136
3,150	519	751	883	976	1,063	1,143
3,200	522	755	888	981	1,069	1,149
3,250	525	759	893	987	1,075	1,156
3,300	529	764	898	992	1,081	1,162
3,350	532	768	903	997	1,087	1,168
3,400	535	772	907	1,003	1,092	1,175
3,450	538	777	912	1,008	1,098	1,181
3,500	541	781	917	1,013	1,104	1,187
3,550	544	786	922	1,019	1,110	1,194
3,600	548	790	927	1,025	1,117	1,201
3,650	551	795	933	1,031	1,123	1,207
3,700	554	799	938	1,036	1,129	1,214
3,750	557	804	943	1,042	1,135	1,221
3,800	561	808	948	1,048	1,142	1,228
3,850	564	813	953	1,053	1,148	1,234
3,900	569	820	961	1,062	1,157	1,245

3,950	574	827	969	1,071	1,167	1,255
4,000	578	834	978	1,080	1,177	1,266
4,050	583	841	986	1,089	1,187	1,276
4,100	588	848	994	1,098	1,197	1,287
4,150	593	855	1,002	1,107	1,207	1,297
4,200	598	862	1,010	1,116	1,216	1,307
4,250	603	868	1,018	1,124	1,225	1,317
4,300	608	875	1,025	1,133	1,235	1,327
4,350	613	882	1,033	1,141	1,244	1,337
4,400	617	889	1,041	1,150	1,253	1,347
4,450	622	896	1,049	1,159	1,263	1,357
4,500	627	902	1,056	1,167	1,272	1,368
4,550	632	909	1,064	1,176	1,281	1,378
4,600	637	916	1,072	1,184	1,290	1,387
4,650	641	921	1,078	1,191	1,298	1,395
4,700	644	927	1,084	1,198	1,305	1,403
4,750	648	932	1,090	1,205	1,313	1,411
4,800	652	937	1,097	1,212	1,320	1,419
4,850	655	942	1,102	1,217	1,326	1,426
4,900	657	946	1,107	1,223	1,332	1,432
4,950	660	950	1,112	1,228	1,338	1,439
5,000	663	954	1,117	1,234	1,344	1,445
5,050	666	958	1,121	1,239	1,350	1,452

5,100	669	963	1,127	1,245	1,357	1,459
5,150	672	968	1,132	1,251	1,363	1,466
5,200	676	972	1,138	1,257	1,370	1,473
5,250	679	977	1,143	1,263	1,376	1,480
5,300	682	981	1,149	1,269	1,383	1,487
5,350	685	986	1,154	1,276	1,390	1,494
5,400	689	991	1,161	1,282	1,397	1,502
5,450	693	997	1,167	1,289	1,404	1,510
5,500	697	1,003	1,173	1,296	1,412	1,518
5,550	701	1,008	1,180	1,304	1,420	1,526
5,600	706	1,014	1,186	1,311	1,428	1,535
5,650	710	1,020	1,193	1,318	1,436	1,544
5,700	714	1,026	1,200	1,326	1,444	1,552
5,750	718	1,032	1,206	1,333	1,452	1,561
5,800	723	1,038	1,213	1,340	1,460	1,569
5,850	727	1,044	1,220	1,348	1,468	1,578
5,900	731	1,050	1,226	1,355	1,476	1,586
5,950	735	1,056	1,233	1,362	1,484	1,595
6,000	740	1,061	1,240	1,370	1,492	1,604
6,050	744	1,067	1,246	1,377	1,500	1,612
6,100	748	1,073	1,253	1,385	1,508	1,621
6,150	752	1,079	1,260	1,392	1,516	1,630
6,200	756	1,085	1,267	1,400	1,525	1,639

6,250	760	1,091	1,274	1,407	1,533	1,648
6,300	764	1,097	1,281	1,415	1,541	1,657
6,350	768	1,103	1,288	1,423	1,550	1,666
6,400	772	1,109	1,294	1,430	1,558	1,674
6,450	776	1,114	1,301	1,438	1,566	1,683
6,500	781	1,120	1,308	1,446	1,575	1,692
6,550	785	1,127	1,316	1,454	1,583	1,702
6,600	789	1,133	1,323	1,462	1,592	1,711
6,650	793	1,139	1,330	1,470	1,601	1,720
6,700	798	1,145	1,337	1,478	1,609	1,730
6,750	802	1,151	1,345	1,486	1,618	1,739
6,800	806	1,157	1,352	1,494	1,627	1,748
6,850	810	1,163	1,359	1,502	1,635	1,758
6,900	815	1,170	1,366	1,510	1,644	1,767
6,950	819	1,176	1,373	1,518	1,653	1,776
7,000	823	1,182	1,381	1,526	1,661	1,786
7,050	827	1,188	1,388	1,533	1,670	1,795
7,100	832	1,194	1,395	1,541	1,679	1,804
7,150	835	1,200	1,401	1,548	1,686	1,812
7,200	839	1,205	1,407	1,555	1,694	1,820
7,250	842	1,210	1,414	1,562	1,701	1,828
7,300	846	1,215	1,420	1,569	1,708	1,836
7,350	850	1,220	1,426	1,575	1,716	1,843

7,400	853	1,225	1,432	1,582	1,723	1,851
7,450	857	1,231	1,438	1,589	1,730	1,859
7,500	860	1,236	1,444	1,596	1,738	1,867
7,550	864	1,241	1,450	1,602	1,745	1,875
7,600	867	1,246	1,456	1,609	1,752	1,883
7,650	871	1,251	1,462	1,616	1,760	1,891
7,700	875	1,256	1,468	1,623	1,767	1,899
7,750	878	1,262	1,474	1,629	1,774	1,906
7,800	882	1,267	1,481	1,636	1,782	1,914
7,850	885	1,272	1,487	1,643	1,789	1,922
7,900	889	1,277	1,493	1,650	1,796	1,930
7,950	893	1,282	1,499	1,656	1,804	1,938
8,000	896	1,287	1,505	1,663	1,811	1,946
8,050	898	1,297	1,511	1,672	1,824	1,949
8,100	900	1,304	1,520	1,681	1,834	1,959
8,150	902	1,311	1,528	1,690	1,844	1,970
8,200	907	1,318	1,537	1,700	1,854	1,981
8,250	912	1,326	1,545	1,709	1,864	1,992
8,300	917	1,333	1,553	1,718	1,874	2,002
8,350	922	1,340	1,562	1,727	1,884	2,013
8,400	927	1,347	1,570	1,736	1,894	2,024
8,450	931	1,354	1,578	1,746	1,904	2,034
8,500	936	1,361	1,587	1,755	1,914	2,045

8,550	941	1,368	1,595	1,764	1,924	2,056
8,600	946	1,375	1,603	1,773	1,934	2,066
8,650	951	1,383	1,611	1,782	1,944	2,077
8,700	956	1,390	1,620	1,792	1,954	2,088
8,750	961	1,397	1,628	1,801	1,964	2,098
8,800	966	1,404	1,636	1,810	1,974	2,109
8,850	971	1,411	1,645	1,819	1,984	2,120
8,900	975	1,418	1,653	1,828	1,994	2,131
8,950	980	1,425	1,661	1,838	2,004	2,141
9,000	985	1,433	1,670	1,847	2,014	2,152
9,050	990	1,440	1,678	1,856	2,024	2,163
9,100	995	1,447	1,686	1,865	2,034	2,173
9,150	1,000	1,454	1,695	1,874	2,044	2,184
9,200	1,005	1,461	1,703	1,884	2,055	2,195
9,250	1,010	1,468	1,711	1,893	2,065	2,205
9,300	1,015	1,475	1,720	1,902	2,075	2,216
9,350	1,019	1,482	1,728	1,911	2,085	2,227
9,400	1,024	1,490	1,736	1,920	2,095	2,237
9,450	1,029	1,497	1,745	1,930	2,105	2,248
9,500	1,034	1,504	1,753	1,939	2,115	2,259
9,550	1,039	1,511	1,761	1,948	2,125	2,270
9,600	1,044	1,518	1,770	1,957	2,135	2,280
9,650	1,049	1,525	1,778	1,967	2,145	2,291

9,700	1,054	1,532	1,786	1,976	2,155	2,302
9,750	1,059	1,539	1,795	1,985	2,165	2,312
9,800	1,064	1,547	1,803	1,994	2,175	2,323
9,850	1,068	1,554	1,811	2,003	2,185	2,334
9,900	1,073	1,561	1,820	2,013	2,195	2,344
9,950	1,078	1,568	1,828	2,022	2,205	2,355
10,000	1,083	1,575	1,836	2,031	2,215	2,366
10,050	1,088	1,582	1,845	2,040	2,225	2,376
10,100	1,093	1,589	1,853	2,049	2,235	2,387
10,150	1,098	1,597	1,861	2,059	2,245	2,398
10,200	1,103	1,604	1,870	2,068	2,255	2,408
10,250	1,108	1,611	1,878	2,077	2,265	2,419
10,300	1,112	1,618	1,886	2,086	2,275	2,430
10,350	1,117	1,625	1,894	2,095	2,285	2,441
10,400	1,122	1,632	1,903	2,105	2,295	2,451
10,450	1,127	1,639	1,911	2,114	2,305	2,462
10,500	1,132	1,646	1,919	2,123	2,315	2,473
10,550	1,137	1,654	1,928	2,132	2,325	2,483
10,600	1,142	1,661	1,936	2,141	2,335	2,494
10,650	1,147	1,668	1,944	2,151	2,345	2,505
10,700	1,152	1,675	1,953	2,160	2,355	2,515
10,750	1,156	1,682	1,961	2,169	2,365	2,526
10,800	1,161	1,689	1,969	2,178	2,375	2,537

10,850	1,166	1,696	1,978	2,187	2,385	2,547
10,900	1,171	1,703	1,986	2,196	2,395	2,558
10,950	1,176	1,710	1,994	2,205	2,405	2,568
11,000	1,181	1,717	2,002	2,215	2,415	2,579
11,050	1,186	1,725	2,010	2,224	2,425	2,589
11,100	1,191	1,732	2,019	2,233	2,435	2,600
11,150	1,195	1,739	2,027	2,242	2,445	2,610
11,200	1,200	1,746	2,035	2,251	2,454	2,621
11,250	1,205	1,753	2,043	2,260	2,464	2,632
11,300	1,210	1,760	2,051	2,269	2,474	2,642
11,350	1,215	1,767	2,060	2,278	2,484	2,653
11,400	1,220	1,774	2,068	2,287	2,494	2,663
11,450	1,225	1,781	2,076	2,296	2,504	2,674
11,500	1,229	1,788	2,084	2,305	2,514	2,684
11,550	1,234	1,795	2,093	2,314	2,524	2,695
11,600	1,239	1,802	2,101	2,324	2,534	2,705
11,650	1,244	1,809	2,109	2,333	2,544	2,716
11,700	1,249	1,816	2,117	2,342	2,553	2,726
11,750	1,254	1,824	2,125	2,351	2,563	2,737
11,800	1,259	1,831	2,134	2,360	2,573	2,748
11,850	1,264	1,838	2,142	2,369	2,583	2,758
11,900	1,268	1,845	2,150	2,378	2,593	2,769
11,950	1,273	1,852	2,158	2,387	2,603	2,779

12,000	1,278	1,859	2,166	2,396	2,613	2,790
12,050	1,283	1,866	2,175	2,405	2,623	2,800
12,100	1,288	1,873	2,183	2,414	2,633	2,811
12,150	1,293	1,880	2,191	2,424	2,642	2,821
12,200	1,298	1,887	2,199	2,433	2,652	2,832
12,250	1,303	1,894	2,208	2,442	2,662	2,842
12,300	1,307	1,901	2,216	2,451	2,672	2,853
12,350	1,312	1,908	2,224	2,460	2,682	2,864
12,400	1,317	1,915	2,232	2,469	2,692	2,874
12,450	1,322	1,923	2,240	2,478	2,702	2,885
12,500	1,327	1,930	2,249	2,487	2,712	2,895
12,550	1,332	1,937	2,257	2,496	2,722	2,906
12,600	1,337	1,944	2,265	2,505	2,732	2,916
12,650	1,342	1,951	2,273	2,514	2,741	2,927
12,700	1,346	1,958	2,281	2,523	2,751	2,937
12,750	1,351	1,965	2,290	2,533	2,761	2,948
12,800	1,356	1,972	2,298	2,542	2,771	2,958
12,850	1,361	1,979	2,306	2,551	2,781	2,969
12,900	1,366	1,986	2,314	2,560	2,791	2,980
12,950	1,371	1,993	2,323	2,569	2,801	2,990
13,000	1,376	2,000	2,331	2,578	2,811	3,001
13,050	1,380	2,007	2,339	2,587	2,821	3,011
13,100	1,385	2,014	2,347	2,596	2,830	3,022

13,150	1,390	2,022	2,355	2,605	2,840	3,032
13,200	1,395	2,029	2,364	2,614	2,850	3,043
13,250	1,400	2,036	2,372	2,623	2,860	3,053
13,300	1,405	2,043	2,380	2,632	2,870	3,064
13,350	1,410	2,050	2,388	2,642	2,880	3,074
13,400	1,415	2,057	2,396	2,651	2,890	3,085
13,450	1,419	2,064	2,405	2,660	2,900	3,096
13,500	1,424	2,071	2,413	2,669	2,910	3,106
13,550	1,429	2,078	2,421	2,678	2,920	3,117
13,600	1,434	2,085	2,429	2,687	2,929	3,127
13,650	1,439	2,092	2,437	2,696	2,939	3,138
13,700	1,444	2,099	2,446	2,705	2,949	3,148
13,750	1,449	2,106	2,454	2,714	2,959	3,159
13,800	1,454	2,113	2,462	2,723	2,969	3,169
13,850	1,458	2,120	2,470	2,732	2,979	3,180
13,900	1,463	2,128	2,479	2,742	2,989	3,190
13,950	1,468	2,135	2,487	2,750	2,999	3,201
14,000	1,472	2,141	2,494	2,759	3,007	3,210
14,050	1,477	2,147	2,501	2,767	3,016	3,219
14,100	1,481	2,153	2,509	2,775	3,025	3,229
14,150	1,486	2,160	2,516	2,783	3,034	3,238
14,200	1,490	2,166	2,523	2,791	3,042	3,247
14,250	1,494	2,172	2,530	2,799	3,051	3,257

14,300	1,499	2,179	2,538	2,807	3,060	3,266
14,350	1,503	2,185	2,545	2,815	3,069	3,275
14,400	1,507	2,191	2,552	2,823	3,077	3,285
14,450	1,512	2,198	2,560	2,831	3,086	3,294
14,500	1,516	2,204	2,567	2,839	3,095	3,303
14,550	1,520	2,210	2,574	2,847	3,104	3,313
14,600	1,525	2,217	2,581	2,855	3,112	3,322
14,650	1,529	2,223	2,589	2,863	3,121	3,331
14,700	1,534	2,229	2,596	2,871	3,130	3,340
14,750	1,538	2,235	2,603	2,879	3,139	3,350
14,800	1,542	2,242	2,610	2,887	3,147	3,359
14,850	1,547	2,248	2,618	2,896	3,156	3,368
14,900	1,551	2,254	2,625	2,904	3,165	3,378
14,950	1,555	2,261	2,632	2,912	3,174	3,387
15,000	1,560	2,267	2,640	2,920	3,182	3,396
15,050	1,564	2,273	2,647	2,928	3,191	3,406
15,100	1,568	2,279	2,654	2,936	3,200	3,415
15,150	1,573	2,286	2,661	2,944	3,209	3,424
15,200	1,577	2,292	2,669	2,952	3,217	3,434
15,250	1,581	2,298	2,676	2,960	3,226	3,443
15,300	1,586	2,305	2,683	2,968	3,235	3,452
15,350	1,590	2,311	2,691	2,976	3,244	3,461
15,400	1,594	2,317	2,698	2,984	3,253	3,471

15,450	1,599	2,324	2,705	2,992	3,261	3,480
15,500	1,603	2,330	2,712	3,000	3,270	3,489
15,550	1,608	2,336	2,720	3,008	3,279	3,499
15,600	1,612	2,342	2,727	3,016	3,288	3,508
15,650	1,616	2,349	2,734	3,024	3,296	3,517
15,700	1,621	2,355	2,742	3,032	3,305	3,527
15,750	1,625	2,361	2,749	3,040	3,314	3,536
15,800	1,629	2,368	2,756	3,049	3,323	3,545
15,850	1,634	2,374	2,763	3,057	3,331	3,554
15,900	1,638	2,380	2,771	3,065	3,340	3,564
15,950	1,642	2,387	2,778	3,073	3,349	3,573
16,000	1,647	2,393	2,785	3,081	3,358	3,582
16,050	1,651	2,399	2,792	3,089	3,366	3,592
16,100	1,655	2,405	2,800	3,097	3,375	3,601
16,150	1,660	2,412	2,807	3,105	3,384	3,610
16,200	1,664	2,418	2,814	3,113	3,393	3,620
16,250	1,669	2,424	2,822	3,121	3,401	3,629
16,300	1,673	2,431	2,829	3,129	3,410	3,638
16,350	1,677	2,437	2,836	3,137	3,419	3,648
16,400	1,682	2,443	2,843	3,145	3,428	3,657
16,450	1,686	2,450	2,851	3,153	3,436	3,666
16,500	1,690	2,456	2,858	3,161	3,445	3,675
16,550	1,695	2,462	2,865	3,169	3,454	3,685

16,600	1,699	2,468	2,873	3,177	3,463	3,694
16,650	1,703	2,475	2,880	3,185	3,471	3,703
16,700	1,708	2,481	2,887	3,194	3,480	3,713
16,750	1,712	2,487	2,894	3,202	3,489	3,722
16,800	1,716	2,494	2,902	3,210	3,498	3,731
16,850	1,721	2,500	2,909	3,218	3,506	3,741
16,900	1,725	2,506	2,916	3,226	3,515	3,750
16,950	1,729	2,513	2,924	3,234	3,524	3,759
17,000	1,734	2,519	2,931	3,242	3,533	3,769
17,050	1,738	2,525	2,938	3,250	3,541	3,778
17,100	1,743	2,531	2,945	3,258	3,550	3,787
17,150	1,747	2,538	2,953	3,266	3,559	3,796
17,200	1,751	2,544	2,960	3,274	3,568	3,806
17,250	1,756	2,550	2,967	3,282	3,576	3,815
17,300	1,760	2,557	2,974	3,290	3,585	3,824
17,350	1,764	2,563	2,982	3,298	3,594	3,834
17,400	1,769	2,570	2,989	3,307	3,603	3,843
17,450	1,774	2,577	2,998	3,316	3,613	3,854
17,500	1,778	2,584	3,006	3,325	3,623	3,864
17,550	1,783	2,591	3,014	3,334	3,633	3,875
17,600	1,788	2,597	3,022	3,343	3,642	3,885
17,650	1,793	2,604	3,030	3,352	3,652	3,896
17,700	1,798	2,611	3,038	3,361	3,662	3,906

17,750	1,802	2,618	3,046	3,370	3,672	3,917
17,800	1,807	2,625	3,054	3,379	3,682	3,927
17,850	1,812	2,632	3,063	3,388	3,691	3,937
17,900	1,817	2,639	3,071	3,397	3,701	3,948
17,950	1,822	2,646	3,079	3,406	3,711	3,958
18,000	1,826	2,653	3,087	3,415	3,721	3,969
18,050	1,831	2,660	3,095	3,424	3,731	3,979
18,100	1,836	2,667	3,103	3,433	3,740	3,990
18,150	1,841	2,674	3,111	3,442	3,750	4,000
18,200	1,845	2,681	3,120	3,451	3,760	4,010
18,250	1,850	2,688	3,128	3,460	3,770	4,021
18,300	1,855	2,695	3,136	3,469	3,780	4,031
18,350	1,860	2,702	3,144	3,478	3,789	4,042
18,400	1,865	2,709	3,152	3,487	3,799	4,052
18,450	1,869	2,716	3,160	3,496	3,809	4,063
18,500	1,874	2,723	3,168	3,505	3,819	4,073
18,550	1,879	2,730	3,177	3,514	3,829	4,084
18,600	1,884	2,737	3,185	3,523	3,838	4,094
18,650	1,889	2,744	3,193	3,532	3,848	4,104
18,700	1,893	2,751	3,201	3,541	3,858	4,115
18,750	1,898	2,758	3,209	3,550	3,868	4,125
18,800	1,903	2,765	3,217	3,559	3,878	4,136
18,850	1,908	2,772	3,225	3,568	3,887	4,146

18,900	1,912	2,779	3,233	3,577	3,897	4,157
18,950	1,917	2,786	3,242	3,586	3,907	4,167
19,000	1,922	2,793	3,250	3,595	3,917	4,178
19,050	1,927	2,800	3,258	3,604	3,927	4,188
19,100	1,932	2,807	3,266	3,613	3,936	4,198
19,150	1,936	2,814	3,274	3,622	3,946	4,209
19,200	1,941	2,821	3,282	3,631	3,956	4,219
19,250	1,946	2,828	3,290	3,640	3,966	4,230
19,300	1,951	2,835	3,299	3,649	3,976	4,240
19,350	1,956	2,842	3,307	3,658	3,985	4,251
19,400	1,960	2,849	3,315	3,667	3,995	4,261
19,450	1,965	2,856	3,323	3,676	4,005	4,271
19,500	1,970	2,863	3,331	3,685	4,015	4,282
19,550	1,975	2,869	3,339	3,694	4,025	4,292
19,600	1,979	2,876	3,347	3,703	4,034	4,303
19,650	1,984	2,883	3,355	3,712	4,044	4,313
19,700	1,989	2,890	3,364	3,721	4,054	4,324
19,750	1,994	2,897	3,372	3,730	4,064	4,334
19,800	1,999	2,904	3,380	3,739	4,074	4,345
19,850	2,003	2,911	3,388	3,748	4,083	4,355
19,900	2,008	2,918	3,396	3,757	4,093	4,365
19,950	2,013	2,925	3,404	3,766	4,103	4,376
20,000	2,018	2,932	3,412	3,775	4,113	4,386

20,050	2,023	2,939	3,421	3,784	4,123	4,397
20,100	2,027	2,946	3,429	3,793	4,132	4,407
20,150	2,032	2,953	3,437	3,802	4,142	4,418
20,200	2,037	2,960	3,445	3,811	4,152	4,428
20,250	2,042	2,967	3,453	3,820	4,162	4,439
20,300	2,046	2,974	3,461	3,829	4,172	4,449
20,350	2,051	2,981	3,469	3,838	4,181	4,459
20,400	2,056	2,988	3,478	3,847	4,191	4,470
20,450	2,061	2,995	3,486	3,856	4,201	4,480
20,500	2,066	3,002	3,494	3,865	4,211	4,491
20,550	2,070	3,009	3,502	3,874	4,221	4,501
20,600	2,075	3,016	3,510	3,883	4,230	4,512
20,650	2,080	3,023	3,518	3,892	4,240	4,522
20,700	2,085	3,030	3,526	3,901	4,250	4,533
20,750	2,089	3,037	3,534	3,910	4,260	4,543
20,800	2,094	3,044	3,543	3,919	4,270	4,553
20,850	2,099	3,051	3,551	3,928	4,279	4,564
20,900	2,104	3,058	3,559	3,937	4,289	4,574
20,950	2,109	3,065	3,567	3,946	4,299	4,585
21,000	2,113	3,072	3,575	3,955	4,309	4,595
21,050	2,118	3,079	3,583	3,964	4,319	4,606
21,100	2,123	3,086	3,591	3,973	4,328	4,616
21,150	2,128	3,093	3,600	3,982	4,338	4,626

21,200	2,133	3,100	3,608	3,991	4,348	4,637
21,250	2,137	3,107	3,616	4,000	4,358	4,647
21,300	2,142	3,114	3,624	4,009	4,368	4,658
21,350	2,147	3,121	3,632	4,018	4,377	4,668
21,400	2,152	3,128	3,640	4,027	4,387	4,679
21,450	2,156	3,135	3,648	4,036	4,397	4,689
21,500	2,161	3,141	3,657	4,045	4,407	4,700
21,550	2,166	3,148	3,665	4,054	4,417	4,710
21,600	2,171	3,155	3,673	4,063	4,426	4,720
21,650	2,176	3,162	3,681	4,072	4,436	4,731
21,700	2,180	3,169	3,689	4,081	4,446	4,741
21,750	2,185	3,176	3,697	4,090	4,456	4,752
21,800	2,190	3,183	3,705	4,099	4,466	4,762
21,850	2,195	3,190	3,713	4,108	4,475	4,773
21,900	2,200	3,197	3,722	4,117	4,485	4,783
21,950	2,204	3,204	3,730	4,126	4,495	4,794
22,000	2,209	3,211	3,738	4,135	4,505	4,804
22,050	2,214	3,218	3,746	4,144	4,514	4,814
22,100	2,219	3,225	3,754	4,153	4,524	4,825
22,150	2,223	3,232	3,762	4,162	4,534	4,835
22,200	2,228	3,239	3,770	4,171	4,544	4,846
22,250	2,233	3,246	3,779	4,180	4,554	4,856
22,300	2,238	3,253	3,787	4,189	4,563	4,867

22,350	2,243	3,260	3,795	4,198	4,573	4,877
22,400	2,247	3,267	3,803	4,207	4,583	4,887
22,450	2,252	3,274	3,811	4,216	4,593	4,898
22,500	2,257	3,281	3,819	4,225	4,603	4,908
22,550	2,262	3,288	3,827	4,234	4,612	4,919
22,600	2,267	3,295	3,835	4,243	4,622	4,929
22,650	2,271	3,302	3,844	4,252	4,632	4,940
22,700	2,276	3,309	3,852	4,261	4,642	4,950
22,750	2,281	3,316	3,860	4,270	4,652	4,961
22,800	2,286	3,323	3,868	4,279	4,661	4,971
22,850	2,290	3,330	3,876	4,288	4,671	4,981
22,900	2,295	3,337	3,884	4,297	4,681	4,992
22,950	2,300	3,344	3,892	4,306	4,691	5,002
23,000	2,305	3,351	3,901	4,315	4,701	5,013
23,050	2,310	3,358	3,909	4,324	4,710	5,023
23,100	2,314	3,365	3,917	4,333	4,720	5,034
23,150	2,319	3,372	3,925	4,342	4,730	5,044
23,200	2,324	3,379	3,933	4,351	4,740	5,055
23,250	2,329	3,386	3,941	4,360	4,750	5,065
23,300	2,334	3,393	3,949	4,369	4,759	5,075
23,350	2,338	3,400	3,958	4,378	4,769	5,086
23,400	2,343	3,407	3,966	4,387	4,779	5,096
23,450	2,348	3,414	3,974	4,396	4,789	5,107

23,500	2,353	3,420	3,982	4,405	4,799	5,117
23,550	2,357	3,427	3,990	4,414	4,808	5,128
23,600	2,362	3,434	3,998	4,423	4,818	5,138
23,650	2,367	3,441	4,006	4,432	4,828	5,148
23,700	2,372	3,448	4,014	4,441	4,838	5,159
23,750	2,377	3,455	4,023	4,450	4,848	5,169
23,800	2,381	3,462	4,031	4,459	4,857	5,180
23,850	2,386	3,469	4,039	4,468	4,867	5,190
23,900	2,391	3,476	4,047	4,477	4,877	5,201
23,950	2,396	3,483	4,055	4,486	4,887	5,211
24,000	2,401	3,490	4,063	4,495	4,897	5,222
24,050	2,405	3,497	4,071	4,504	4,906	5,232
24,100	2,410	3,504	4,080	4,513	4,916	5,242
24,150	2,415	3,511	4,088	4,522	4,926	5,253
24,200	2,420	3,518	4,096	4,531	4,936	5,263
24,250	2,424	3,525	4,104	4,540	4,946	5,274
24,300	2,429	3,532	4,112	4,549	4,955	5,284
24,350	2,434	3,539	4,120	4,558	4,965	5,295
24,400	2,439	3,546	4,128	4,567	4,975	5,305
24,450	2,444	3,553	4,136	4,576	4,985	5,316
24,500	2,448	3,560	4,145	4,585	4,995	5,326
24,550	2,453	3,567	4,153	4,594	5,004	5,336
24,600	2,458	3,574	4,161	4,603	5,014	5,347

24,650	2,463	3,581	4,169	4,612	5,024	5,357
24,700	2,468	3,588	4,177	4,621	5,034	5,368
24,750	2,472	3,595	4,185	4,630	5,044	5,378
24,800	2,477	3,602	4,193	4,639	5,053	5,389
24,850	2,482	3,609	4,202	4,648	5,063	5,399
24,900	2,487	3,616	4,210	4,657	5,073	5,410
24,950	2,491	3,623	4,218	4,666	5,083	5,420
25,000	2,496	3,630	4,226	4,675	5,093	5,430
25,050	2,501	3,637	4,234	4,684	5,102	5,441
25,100	2,506	3,644	4,242	4,693	5,112	5,451
25,150	2,511	3,651	4,250	4,702	5,122	5,462
25,200	2,515	3,658	4,259	4,711	5,132	5,472
25,250	2,520	3,665	4,267	4,720	5,142	5,483
25,300	2,525	3,672	4,275	4,729	5,151	5,493
25,350	2,530	3,679	4,283	4,738	5,161	5,503
25,400	2,535	3,686	4,291	4,747	5,171	5,514
25,450	2,539	3,692	4,299	4,756	5,181	5,524
25,500	2,544	3,699	4,307	4,765	5,191	5,535
25,550	2,549	3,706	4,315	4,774	5,200	5,545
25,600	2,554	3,713	4,324	4,783	5,210	5,556
25,650	2,558	3,720	4,332	4,792	5,220	5,566
25,700	2,563	3,727	4,340	4,801	5,230	5,577
25,750	2,568	3,734	4,348	4,810	5,240	5,587

25,800	2,573	3,741	4,356	4,819	5,249	5,597
25,850	2,578	3,748	4,364	4,828	5,259	5,608
25,900	2,582	3,755	4,372	4,837	5,269	5,618
25,950	2,587	3,762	4,381	4,846	5,279	5,629
26,000	2,592	3,769	4,389	4,855	5,289	5,639
26,050	2,597	3,776	4,397	4,864	5,298	5,650
26,100	2,602	3,783	4,405	4,873	5,308	5,660
26,150	2,606	3,790	4,413	4,882	5,318	5,671
26,200	2,611	3,797	4,421	4,891	5,328	5,681
26,250	2,616	3,804	4,429	4,900	5,338	5,691
26,300	2,621	3,811	4,437	4,909	5,347	5,702
26,350	2,625	3,818	4,446	4,918	5,357	5,712
26,400	2,630	3,825	4,454	4,927	5,367	5,723
26,450	2,635	3,832	4,462	4,936	5,377	5,733
26,500	2,640	3,839	4,470	4,945	5,387	5,744
26,550	2,645	3,846	4,478	4,954	5,396	5,754
26,600	2,649	3,853	4,486	4,963	5,406	5,764
26,650	2,654	3,860	4,494	4,972	5,416	5,775
26,700	2,659	3,867	4,503	4,981	5,426	5,785
26,750	2,664	3,874	4,511	4,990	5,436	5,796
26,800	2,669	3,881	4,519	4,999	5,445	5,806
26,850	2,673	3,888	4,527	5,008	5,455	5,817
26,900	2,678	3,895	4,535	5,017	5,465	5,827

26,950	2,683	3,902	4,543	5,026	5,475	5,838
27,000	2,688	3,909	4,551	5,035	5,485	5,848
27,050	2,692	3,916	4,560	5,044	5,494	5,858
27,100	2,697	3,923	4,568	5,053	5,504	5,869
27,150	2,702	3,930	4,576	5,062	5,514	5,879
27,200	2,707	3,937	4,584	5,071	5,524	5,890
27,250	2,712	3,944	4,592	5,080	5,534	5,900
27,300	2,716	3,951	4,600	5,089	5,543	5,911
27,350	2,721	3,958	4,608	5,098	5,553	5,921
27,400	2,726	3,964	4,616	5,107	5,563	5,932
27,450	2,731	3,971	4,625	5,116	5,573	5,942
27,500	2,736	3,978	4,633	5,125	5,583	5,952
27,550	2,740	3,985	4,641	5,134	5,592	5,963
27,600	2,745	3,992	4,649	5,143	5,602	5,973
27,650	2,750	3,999	4,657	5,152	5,612	5,984
27,700	2,755	4,006	4,665	5,161	5,622	5,994
27,750	2,759	4,013	4,673	5,170	5,632	6,005
27,800	2,764	4,020	4,682	5,179	5,641	6,015
27,850	2,769	4,027	4,690	5,188	5,651	6,025
27,900	2,774	4,034	4,698	5,197	5,661	6,036
27,950	2,779	4,041	4,706	5,206	5,671	6,046
28,000	2,783	4,048	4,714	5,215	5,681	6,057
28,050	2,788	4,055	4,722	5,224	5,690	6,067

28,100	2,793	4,062	4,730	5,233	5,700	6,078
28,150	2,798	4,069	4,738	5,242	5,710	6,088
28,200	2,803	4,076	4,747	5,251	5,720	6,099
28,250	2,807	4,083	4,755	5,260	5,730	6,109
28,300	2,812	4,090	4,763	5,269	5,739	6,119
28,350	2,817	4,097	4,771	5,278	5,749	6,130
28,400	2,822	4,104	4,779	5,287	5,759	6,140
28,450	2,826	4,111	4,787	5,296	5,769	6,151
28,500	2,831	4,118	4,795	5,305	5,779	6,161
28,550	2,836	4,125	4,804	5,314	5,788	6,172
28,600	2,841	4,132	4,812	5,323	5,798	6,182
28,650	2,846	4,139	4,820	5,332	5,808	6,193
28,700	2,850	4,146	4,828	5,341	5,818	6,203
28,750	2,855	4,153	4,836	5,350	5,828	6,213
28,800	2,860	4,160	4,844	5,359	5,837	6,224
28,850	2,865	4,167	4,852	5,368	5,847	6,234
28,900	2,870	4,174	4,861	5,377	5,857	6,245
28,950	2,874	4,181	4,869	5,386	5,867	6,255
29,000	2,879	4,188	4,877	5,395	5,877	6,266
29,050	2,884	4,195	4,885	5,404	5,886	6,276
29,100	2,889	4,202	4,893	5,413	5,896	6,287
29,150	2,893	4,209	4,901	5,422	5,906	6,297
29,200	2,898	4,216	4,909	5,431	5,916	6,307

29,250	2,903	4,223	4,917	5,440	5,926	6,318
29,300	2,908	4,230	4,926	5,449	5,935	6,328
29,350	2,913	4,237	4,934	5,458	5,945	6,339
29,400	2,917	4,243	4,942	5,467	5,955	6,349
29,450	2,922	4,250	4,950	5,476	5,965	6,360
29,500	2,927	4,257	4,958	5,485	5,975	6,370
29,550	2,932	4,264	4,966	5,494	5,984	6,380
29,600	2,937	4,271	4,974	5,503	5,994	6,391
29,650	2,941	4,278	4,983	5,512	6,004	6,401
29,700	2,946	4,285	4,991	5,521	6,014	6,412
29,750	2,951	4,292	4,999	5,530	6,024	6,422
29,800	2,956	4,299	5,007	5,539	6,033	6,433
29,850	2,960	4,306	5,015	5,548	6,043	6,443
29,900	2,965	4,313	5,023	5,556	6,053	6,454
29,950	2,970	4,320	5,031	5,565	6,063	6,464
30,000	2,975	4,327	5,039	5,574	6,072	6,474

WORKSHEET A - BASIC VISITATION

_____ JUDICIAL DISTRICT COURT

COUNTY OF _____

STATE OF NEW MEXICO

NO. _____

_____,

Petitioner,

vs.

Respondent.

MONTHLY CHILD SUPPORT OBLIGATION

	Custodial	Other		Combined
	Parent	Parent		
1. Gross Monthly Income	\$_____	+	\$_____	= \$_____
2. Percentage of Combined Income (Each parent's income divided by combined income)	_____%	+	_____%	= 100%
3. Number of Children	_____			
4. Basic Support from Schedule (Use combined income from Line 1)			=	_____
5. Children's Health and Dental Insurance Premium	_____	+	_____	= _____
6. Work-Related Child Care	_____	+	_____	= _____
7. Additional Expenses	_____	+	_____	= _____
8. Total Support (Add Lines 5, 6 and 7 for each parent and Lines 4, 5, 6 and 7 for combined column)	_____	+	_____	= _____

9. Each Parent's Obligation

(Combined Column Line

8 x each parent's

Line 2)

10. Enter amount for

each parent from

Line 8

- _____ - _____

11. Each Parent's Net

Obligation (Subtract

Line 10 from Line 9

for each parent).

_____ Parent pays Custodial

Other

Parent this Amount

_____ PAYS _____ EACH MONTH \$ _____

Petitioner's Signature

Respondent's Signature

Date: _____

BASIC VISITATION

INSTRUCTIONS FOR WORKSHEET A

Line 1. Gross monthly income:

Includes all income, except TANF, food stamps and supplemental security income. If a parent pays child support by court order to other children, subtract from gross income. Use current income if steady. If income varies a lot from month to month, use an average of the last twelve months, if available, or last year's income tax return. Add both parents' gross incomes and put total under the combined column.

Line 2. Percentage of Combined Income:

Divide each parent's income by combined income to get that parent's percentage of combined income.

Lines 3 and 4. Basic Support:

Fill in number of children on worksheet (Line 3). Round combined income to nearest fifty dollars (\$50.00). Look at the basic child support schedule. In the far left-hand column of the basic child support schedule, find the rounded combined income figure. Read across to the column with the correct number of children. Enter that amount on Line 4.

Line 5. Children's Health and Dental Insurance Premium:

Enter the cost paid by a parent for covering these children with medical and dental insurance under that parent's column on Line 5. Add costs paid by each parent and enter under the combined column on Line 5.

Line 6. Work-Related Child Care:

Enter the cost paid by each parent for work-related child care. If the cost varies (for example, between school year and summer), take the total yearly cost and divide by twelve. Enter each parent's figure in that parent's column on Line 6. Add the cost for both parents and enter in the combined column on Line 6.

Line 7. Additional Expenses:

Enter the amounts paid by each parent for additional expenses provided by Subsection I of this section on Line 7. Add the cost for both parents and enter in the combined column on Line 7.

Line 8. Total Support:

Total the basic support amount from Line 4 in the combined column with the combined column on Lines 5, 6 and 7 and enter the totals in combined column on Line 8.

Line 9. Each Parent's Obligation:

Multiply the total child support amount on Line 8 by each parent's percentage share on Line 2, and enter each parent's dollar share under that parent's column on Line 9.

Line 10. Total Support:

Enter the total amount shown for each parent on Line 8 beside the "minus" marks on Line 10.

Line 11. Each Parent's Net Obligation:

For each parent, subtract the amount on Line 10 from the amount on Line 9. Enter the difference for each parent in that parent's column on Line 11. The amount in the box "other parent" is what that parent pays to the custodial parent each month. Do not subtract the amount on the custodial parent's Line 11 from the amount in the other parent's box. The custodial parent is presumed to use the amount in that parent's column on Line 11 for the children.

WORKSHEET B - SHARED RESPONSIBILITY

_____ JUDICIAL DISTRICT COURT

COUNTY OF _____

STATE OF NEW MEXICO

NO. _____

_____,

Petitioner,

vs.

_____,

Respondent.

MONTHLY CHILD SUPPORT OBLIGATION

Part 1 - Basic Support:	Mother		Father	Combined
1. Gross Monthly Income	\$_____	+	\$_____	= \$_____
2. Percentage of Combined Income				
(Each parent's income divided				
by combined income)	_____ %	+	_____ %	= 100% 3.
Number of Children _____				
4. Basic Support from Schedule				
(Use combined income from Line 1)				= _____

5. Shared Responsibility Basic

Obligation (Line 4 x 1.5) = _____

6. Each Parent's Share (Line 5

x each parent's Line 2) _____

7. Number of 24-Hour Days

with Each Parent (must

total 365) _____ + _____ = 365 8.

Percentage with Each Parent

(Line 7 divided by 365) _____% + _____% = 100%

9. Amount Retained (Line

6 x Line 8 for Each

Parent) _____

10. Each Parent's Basic

Obligation (subtract

Line 9 from Line 6) _____

11. Amount Transferred

(subtract smaller amount on Line 10 from larger amount on Line 10.) Parent with larger amount on Line 10 pays other parent the difference.

Part 2 - Additional Payments:

12. Children's Health and

Dental Insurance

Premium _____ + _____ =

13. Work-Related Child

Care _____ + _____ =

14. Additional

Expenses _____ + _____ =

15. Total Additional

Payments (Add Lines
12, 13 and 14 for each
parent and for combined
column) _____ + _____ =

16. Each Parent's Obligation

(Combined Column Line 15
x each parent's Line 2) _____

17. Amount Transferred

(Subtract each parent's
Line 16 from that parent's Line 15).
Parent with "minus"
figure pays that amount
to other parent. _____

Part 3 - Net Amount Transferred:

18. Combine Lines 11 and 17 by
addition if same parent pays
on both lines, otherwise by
subtraction.

_____ PAYS _____ EACH MONTH \$ _____

Petitioner's Signature

Respondent's Signature

Date: _____

SHARED RESPONSIBILITY

INSTRUCTIONS FOR WORKSHEET B

Part 1 - Basic Support:

Line 1. Gross Monthly Income:

Includes all income, except TANF, food stamps and supplemental security income. See text for allowed deductions from income. Use current income if steady. If income varies a lot from month to month, use an average of the last twelve months, if available, or last year's income tax return. Add both parents' gross incomes and put total under the combined column.

Line 2. Percentage of Combined Income:

Divide each parent's income by combined income to get that parent's percentage of combined income.

Lines 3 and 4. Basic Support:

Fill in the number of children on the worksheet (Line 3). Round combined income to nearest fifty dollars (\$50.00). Look at the basic child support schedule. In the far left-hand column of that schedule, find the rounded combined income figure. Read across to the column with the correct number of children. Enter that amount on Line 4.

Line 5. Shared Responsibility Basic Obligation:

Multiply the basic obligation on Line 4 by 1.5.

Line 6. Each Parent's Share:

Multiply the support amount on Line 5 by each parent's percentage share on Line 2, and enter each parent's dollar share under that parent's column on Line 6.

Line 7. Each Parent's Time of Care for Children:

Enter the number of twenty-four-hour days of responsibility that each parent has each child in a year according to the parenting plan.

Line 8. Percentage of Twenty-Four-Hour Days With Each Parent:

Divide each parent's number of twenty-four-hour days (Line 7) by three hundred sixty-five to obtain a percentage.

Line 9. Amount Retained:

Under shared responsibility arrangements, each parent retains the percentage of the basic support obligation equal to the number of twenty-four-hour days of responsibility spent by each child with each respective parent divided by three hundred sixty-five. Multiply each parent's share of basic support (Line 6) by the percentage in that parent's Line 8 and enter the result on that parent's Line 9. This is the amount that each parent retains to pay the children's expenses during that parent's periods of responsibility.

Line 10. Each Parent's Basic Obligation:

Subtract the amount retained by each parent for direct expenses (Line 9) from that parent's share (Line 6) and enter the difference on that parent's Line 10.

Line 11. Amount Transferred for Basic Support:

In shared responsibility situations, both parents are entitled not only to retain money for direct expenses but also to receive contributions from the other parent toward those expenses. Therefore, subtract the smaller amount on Line 10 from the larger amount on Line 10 to arrive at a net amount transferred for basic support.

Part 2 - Additional Payments:

Line 12. Children's Health and Dental Insurance Premium:

Enter the cost paid by a parent for covering these children with medical and dental insurance under that parent's column on Line 12. Add costs paid by each parent and enter under the combined column on Line 12.

Line 13. Work-Related Child Care:

Enter the cost paid by each parent for work-related child care. If the cost varies (for example, between school year and summer), take the total yearly cost and divide by twelve. Enter each parent's figure in that parent's column on Line 13. Add the cost for both parents and enter in combined column on Line 13.

Line 14. Additional Expenses:

Enter the cost paid by each parent for additional expenses provided by Subsection I of this section on Line 14.

Line 15. Total Additional Payments:

For each parent, total the amount paid by that parent for insurance, child care and additional expenses (Lines 12, 13 and 14). Enter the total in that parent's column on Line 15 and the total of both parents' expenses under the combined column on Line 15.

Line 16. Each Parent's Obligation:

Multiply the total additional payments (combined column on Line 15) by each parent's percentage share of income on Line 2, and enter each parent's dollar share of the additional payments on that parent's Line 16.

Line 17. Amount Transferred:

Subtract each parent's obligation for additional expenses

(that parent's Line 16) from the total additional payments made by that parent (that parent's Line 15). The parent with a "minus" figure pays the other parent the amount on Line 17.

Part 3 - Net Amount Transferred:

Line 18. Combine Lines 11 and 17:

Combine the amount owed by one parent to the other for basic support (Line 11) and the amount owed by one parent to the other for additional payments (Line 17). If the same parent owes for both obligations, add Lines 11 and 17, and enter the total on Line 18. If one parent owes for basic support and the other owes for additional payments, subtract the smaller amount from the larger and enter on Line 18. Fill in the blanks by stating which parent pays and which parent receives the net amount transferred."

Approved February 28, 2008

LAWS 2008, CHAPTER 49

AN ACT

RELATING TO HIGHER EDUCATION; CHANGING THE NAME OF AN ENDOWMENT FUND; CLARIFYING THE APPROPRIATE USES OF MONEY IN THE FUND; MAKING DISBURSEMENTS FOR ENDOWMENT PURPOSES.

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

Chapter 49 Section 1 Laws 2008

Section 1. Section 21-1-27.1 NMSA 1978 (being Laws 2002, Chapter 31, Section 1, as amended) is amended to read:

"21-1-27.1. HIGHER EDUCATION ENDOWMENT FUND CREATED.--

A. The "higher education endowment fund" is created in the state treasury. The fund shall consist of appropriations, income from investment of the fund, gifts, grants, donations and bequests.

B. The higher education endowment fund shall be administered by the higher education department. Money shall be disbursed only on warrant of the secretary of finance and administration upon voucher signed by the secretary of higher education or the secretary's authorized representative.

C. Money shall be disbursed from the higher education endowment fund only to establish endowments at public post-secondary educational institutions as provided in this section. An institution shall not receive a disbursement for an endowment until that institution has notified the department that it has received matching funds for the endowment from other than governmental sources in the amount specified in this section.

D. Money in the higher education endowment fund is appropriated to the department to be disbursed for endowment purposes, including endowed chairs, lectureships, professorships, scholarships for students, graduate assistantships, faculty and development programs that will enhance the quality of public post-secondary education in New Mexico. The department, by rule, shall establish procedures for disbursing money from the fund. Not less than five percent of each institution's total endowment effort resulting from amounts specified in this section shall address one or more of the governor's initiatives.

E. Unless otherwise provided by law, until June 30, 2010, the following institutions shall be eligible for the following disbursements from the fund:

(1) two million dollars (\$2,000,000) each for the university of New Mexico, New Mexico state university and the New Mexico institute of mining and technology and one million five hundred thousand dollars (\$1,500,000) for the university of New Mexico school of medicine; provided that no disbursement shall be made pursuant to this paragraph until

the institution has shown to the satisfaction of the department that it has received matching funds in an amount equal to at least fifty percent of the disbursement;

(2) five hundred thousand dollars (\$500,000) each for New Mexico highlands university, eastern New Mexico university, western New Mexico university and northern New Mexico state school; provided that no disbursement shall be made pursuant to this paragraph until the institution has shown to the satisfaction of the department that it has received matching funds in an amount equal to at least forty percent of the disbursement; and

(3) for the total endowments at the New Mexico military institute, community colleges, branch community colleges and technical and vocational institutes, two million five hundred thousand dollars (\$2,500,000), provided that:

(a) the total amount shall be distributed pursuant to rules of distribution promulgated by the department that ensure each eligible institution an opportunity to receive an equitable share of the total amount to be distributed; and

(b) no disbursement shall be made pursuant to this paragraph until the institution has shown to the satisfaction of the department that it has received matching funds in an amount equal to at least thirty percent of the disbursement.

F. Effective July 1, 2010, funds remaining in the higher education endowment fund may be matched by any public post-secondary educational institution in this section for the purposes stated in this section in accordance with the rules established by the department.

G. The endowment funds of the institutions shall not be expended but shall be invested by the institutions in accordance with the prudent investor rule, and in accordance with the provisions of Section 21-1-38 NMSA 1978. The income from the investments shall be used by the institutions to provide funding for chairs, lectureships, professorships, scholarships for students, graduate assistantships and faculty development programs, including paying all or a portion of the salary of the faculty member or the expenses necessary to support associated academic activities.

H. No later than July 1 of 2008, 2009 and 2010, the department shall report to the legislative finance committee on disbursements made pursuant to this section. The report shall include the amounts disbursed to each institution, the amount of matching funds and their source and the purpose of the endowments."

Chapter 49 Section 2 Laws 2008

Section 2. TEMPORARY PROVISION--DISBURSEMENT OF APPROPRIATION.--The five million dollars (\$5,000,000) appropriated from the general fund to the faculty endowment fund in the General Appropriation Act of 2008 shall be disbursed in fiscal year 2009 and subsequent fiscal years

pursuant to the provisions of Section 21-1-27.1 NMSA 1978 except that, in lieu of the disbursements in Subsection E of that section, the appropriation shall be disbursed as follows:

A. one million dollars (\$1,000,000) each for the university of New Mexico, the university of New Mexico health sciences center, New Mexico state university and the New Mexico institute of mining and technology; provided that no disbursement shall be made pursuant to this subsection until the institution has shown to the satisfaction of the higher education department that it has received matching funds in an amount equal to at least fifty percent of the disbursement;

B. one hundred twenty-five thousand dollars (\$125,000) each for New Mexico highlands university, eastern New Mexico university, western New Mexico university and northern New Mexico state school; provided that no disbursement shall be made pursuant to this subsection until the institution has shown to the satisfaction of the higher education department that it has received matching funds in an amount equal to at least forty percent of the disbursement;

C. for the total endowments at the New Mexico military institute, community colleges, branch community colleges and technical and vocational institutes, five hundred thousand dollars (\$500,000), provided that:

(1) the total amount shall be distributed pursuant to rules of distribution promulgated by the higher education department that ensure each eligible institution an opportunity to receive an equitable share of the total amount to be distributed; and

(2) no disbursement shall be made pursuant to this subsection until the institution has shown to the satisfaction of the higher education department that it has received matching funds in an amount equal to at least thirty percent of the disbursement; and

D. if a different amount is appropriated to the faculty endowment fund in the General Appropriation Act of 2008, then the disbursements provided for in this section shall be adjusted proportionately.

Approved February 28, 2008

LAWS 2008, CHAPTER 50

AN ACT

MAKING APPROPRIATIONS FOR TOBACCO USE CESSATION PROGRAMS AND FOR DIABETES PREVENTION, EDUCATION AND OUTREACH FROM THE TOBACCO SETTLEMENT PROGRAM FUND.

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

Chapter 50 Section 1 Laws 2008

Section 1. APPROPRIATIONS--LIMITATIONS.--

A. If the revenue to the tobacco settlement program fund exceeds the appropriations made from the fund in the General Appropriation Act of 2008, the balance of the fund shall be appropriated as provided in this section.

B. Four million dollars (\$4,000,000) of the balance in the tobacco settlement program fund is appropriated in the following amounts to the following entities for the following purposes for expenditure in fiscal year 2009 in accordance with the limitations in Subsection C of this section:

(1) two million dollars (\$2,000,000) to the human services department for medicaid program expenditures;

(2) one million two hundred fifty thousand dollars (\$1,250,000) to the department of health for smoking cessation and prevention programs;

(3) five hundred thousand dollars (\$500,000) to the department of health for diabetes prevention and control services; and

(4) two hundred fifty thousand dollars (\$250,000) to the Indian affairs department for tobacco cessation and prevention programs for Native American communities throughout the state.

C. If the balance in the fund is insufficient to meet the appropriations made in Subsection B of this section, the appropriations shall be reduced as provided in Section 6-4-9 NMSA 1978.

D. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the tobacco settlement program fund.

House Bill 546, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 51

AN ACT

RELATING TO TAXATION; PROVIDING THAT CERTAIN RECEIPTS MAY BE DISTRIBUTED TO THE SOLE COMMUNITY PROVIDER FUND; DECLARING AN EMERGENCY.

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

Chapter 51 Section 1 Laws 2008

Section 1. Section 7-1-6.13 NMSA 1978 (being Laws 1983, Chapter 211, Section 18, as amended) is amended to read:

"7-1-6.13. TRANSFER--REVENUES FROM COUNTY LOCAL OPTION GROSS RECEIPTS TAXES.--

A. Except as provided in Subsections B and C of this section, a transfer pursuant to Section 7-1-6.1 NMSA 1978 shall be made to each county for which the department is collecting a local option gross receipts tax imposed by that county in an amount, subject to any increase or decrease made pursuant to Section 7-1-6.15 NMSA 1978, equal to the net receipts attributable to the local option gross receipts tax imposed by that county, less any deduction for administrative cost determined and made by the department pursuant to the provisions of the act authorizing imposition by that county of the local option gross receipts tax and any additional administrative fee withheld pursuant to Subsection C of Section 7-1-6.41 NMSA 1978.

B. A transfer pursuant to this section may be adjusted for a distribution made to a tax increment development district with respect to a portion of a gross receipts tax increment dedicated by a county pursuant to the Tax Increment for Development Act.

C. Through June 30, 2009, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the sole community provider fund from revenue attributable to the county gross receipts tax imposed by a county pursuant to Section 7-20E-9 NMSA 1978, subject to the approval of the board of county commissioners of that county. The distribution shall be in an amount equal to one-twelfth of the county's annual approved contribution for support of sole community provider payments. Revenue in excess of the amount required for the contribution shall be transferred to the county pursuant to the provisions of Subsection A of this section."

Chapter 51 Section 2 Laws 2008

Section 2. Section 7-20E-7 NMSA 1978 (being Laws 1993, Chapter 354, Section 7, as amended) is amended to read:

"7-20E-7. COLLECTION BY DEPARTMENT--TRANSFER OF PROCEEDS--DEDUCTIONS.--

A. The department shall collect each tax imposed pursuant to the provisions of the County Local Option Gross Receipts Taxes Act in the same manner and at the same time it collects the state gross receipts tax.

B. The department shall withhold an administrative fee pursuant to Section 7-1-6.41 NMSA 1978. Except as provided in Subsection C of this section, the department shall transfer to each county for which it is collecting a tax pursuant to the provisions of the County Local Option Gross Receipts Taxes Act the amount of each tax collected for that county, less the administrative fee withheld and less any disbursements for tax credits, refunds and the payment of interest applicable to the tax. The transfer to the county shall be made within the month following the month in which the tax is collected.

C. Through June 30, 2009, with respect to revenue attributable to imposition by a county of the county gross receipts tax pursuant to Section 7-20E-9 NMSA 1978, the department shall, subject to the approval of the board of county commissioners of that county, distribute monthly to the sole community provider fund an amount equal to one-twelfth of the county's approved annual contribution for support of sole community provider payments. Revenue in excess of the amount required for the contribution shall be transferred to the county pursuant to the provisions of Subsection B of this section."

Chapter 51 Section 3 Laws 2008

Section 3. Section 7-20E-9 NMSA 1978 (being Laws 1983, Chapter 213, Section 30, as amended) is amended to read:

"7-20E-9. COUNTY GROSS RECEIPTS TAX--AUTHORITY TO IMPOSE RATE--INDIGENT FUND REQUIREMENTS.--

A. A majority of the members of the governing body of a county may enact an ordinance imposing an excise tax not to exceed a rate of seven-sixteenths percent of the gross receipts of any person engaging in business in the county for the privilege of engaging in business in the county. An ordinance imposing an excise tax pursuant to this section shall impose the tax in three independent increments of one-eighth percent and one independent increment of one-sixteenth percent, which shall be separately denominated as "the first one-eighth increment", "the second one-eighth increment",

"the third one-eighth increment" and "the one-sixteenth increment", respectively, not to exceed an aggregate amount of seven-sixteenths percent.

B. The tax authorized in Subsection A of this section is to be referred to as the "county gross receipts tax".

C. A class A county with a county hospital operated and maintained pursuant to a lease with a state educational institution named in Article 12, Section 11 of the constitution of New Mexico enacting the second one-eighth increment of county gross receipts tax shall provide, each year that the tax is in effect, not less than one million dollars (\$1,000,000) in funds, and that amount shall be dedicated to the support of indigent patients who are residents of that county. Funds for indigent care shall be made available each month of each year the tax is in effect in an amount not less than eighty-three thousand three hundred thirty-three dollars thirty-three cents (\$83,333.33). The interest from the investment of county funds for indigent care may be used for other assistance to indigent persons, not to exceed twenty thousand dollars (\$20,000) for all other assistance in any year.

D. A county, except a class A county with a county hospital operated and maintained pursuant to a lease with a state educational institution named in Article 12, Section 11 of the constitution of New Mexico, imposing the second

one-eighth increment of county gross receipts tax shall be required to dedicate the entire amount of revenue produced by the imposition of the second one-eighth increment for the support of indigent patients who are residents of that county. The revenue produced by the imposition of the third one-eighth increment and the one-sixteenth increment may be used for general purposes. Any county that has imposed the second one-eighth increment or the third one-eighth increment, or both, on January 1, 1996 for support of indigent patients in the county or after January 1, 1996 imposes the second one-eighth increment or imposes the third one-eighth increment and dedicates one-half of that increment for county indigent patient purposes shall deposit the revenue dedicated for county indigent purposes that is transferred to the county after the distribution pursuant to Subsection C of Section 7-1-6.13 and Subsection C of Section 7-20E-7 NMSA 1978 in the county indigent hospital claims fund and such revenues shall be expended pursuant to the Indigent Hospital and County Health Care Act."

Chapter 51 Section 4 Laws 2008

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

Approved February 28, 2008

LAWS 2008, CHAPTER 52

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
ESTABLISHING A SOLAR ENERGY RESEARCH PARK AND ACADEMY.

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

Chapter 52 Section 1 Laws 2008

Section 1. ESTABLISHMENT OF A SOLAR ENERGY RESEARCH PARK AND ACADEMY.--

A. There is established at northern New Mexico state school a "solar energy research park and academy" to conduct applied research on solar energy storage devices, on photovoltaic technology, on solar thermal and concentrated solar technologies and on other alternative renewable energy sources. Northern New Mexico state school shall collaborate with Los Alamos national laboratory to develop technology transfer applications related to solar energy.

B. In addition to the research park, the academy shall provide new academic programs, including three levels of engineering degrees: associate of science, bachelor of science and master of science in mechanical engineering with a major in solar energy.

HAFC/House Bill 660, as amended

Approved February 28, 2008

LAWS 2008, CHAPTER 53

AN ACT

RELATING TO PROFESSIONAL LICENSING; PROVIDING LICENSING REQUIREMENTS FOR GENETIC COUNSELORS; PROVIDING FOR A DELAYED EFFECTIVE DATE; MAKING AN APPROPRIATION.

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

Chapter 53 Section 1 Laws 2008

Section 1. SHORT TITLE.--Sections 1 through 10 of this act may be cited as the "Genetic Counseling Act".

Chapter 53 Section 2 Laws 2008

Section 2. FINDINGS AND PURPOSE.--

A. The legislature finds that the mapping of the human genome continues to result in the rapid expansion of genetic knowledge and a proliferation of testing for genetic conditions. This has created a need for qualified professional genetic counselors to coordinate assessments, to deliver accurate information to families, to assist families in adjusting to the implications of their diagnoses and to help ensure that genetic information is used appropriately in the delivery of medical care.

B. The purpose of the Genetic Counseling Act is to protect the public from the unprofessional, improper, incompetent and unlawful practice of genetic counseling.

Chapter 53 Section 3 Laws 2008

Section 3. DEFINITIONS.--As used in the Genetic Counseling Act:

A. "ABGC" means the American board of genetic counseling, a national agency for certification and recertification of genetic counselors, or its successor agency;

B. "ABMG" means the American board of medical genetics, a national agency for certification and recertification of genetic counselors and geneticists with medical or other doctoral degrees, or its successor agency;

C. "board" means the New Mexico medical board;

D. "genetic counseling" means a communication process that may include:

(1) estimating the likelihood of occurrence or recurrence of any potentially inherited or genetically influenced condition or congenital abnormality. "Genetic counseling" may involve:

(a) obtaining and analyzing the complete health history of an individual and family members;

(b) reviewing pertinent medical records;

(c) evaluating the risks from exposure to possible mutagens or teratogens; and

(d) determining appropriate genetic testing or other evaluations to diagnose a condition or determine the carrier status of one or more family members;

(2) helping an individual, family or health care provider to:

(a) appreciate the medical, psychological and social implications of a disorder, including its features, variability, usual course and management options;

(b) learn how genetic factors contribute to a disorder and affect the chance for occurrence of the disorder in other family members;

(c) understand available options for coping with, preventing or reducing the chance of occurrence or recurrence of a disorder;

(d) select the most appropriate, accurate and cost-effective methods of diagnosis; and

(e) understand genetic or prenatal tests, coordinate testing for inherited disorders and interpret complex genetic test results; and

(3) facilitating an individual's or family's:

(a) exploration of the perception of risk and burden associated with a genetic disorder; and

(b) adjustment and adaptation to a disorder or the individual's or family's genetic risk by addressing needs for psychological, social and medical support; and

E. "genetic counselor" means a person licensed pursuant to the Genetic Counseling Act to engage in the practice of genetic counseling.

Chapter 53 Section 4 Laws 2008

Section 4. LICENSE REQUIRED.--Unless licensed as a genetic counselor pursuant to the Genetic Counseling Act, a person shall not:

A. engage in the practice of genetic counseling;

B. use the title or make any representation as being a licensed genetic counselor or use any other title, abbreviation, letters, figures, signs or devices that indicate or imply that the person is licensed to practice as a genetic counselor, including a genetic associate, gene counselor or genetic consultant; or

C. advertise, hold out to the public or represent in any manner that the person is authorized to practice genetic counseling.

Chapter 53 Section 5 Laws 2008

Section 5. EXEMPTIONS.--

A. Nothing in the Genetic Counseling Act is intended to limit, interfere with or prevent a licensed health care professional from practicing within the scope of the professional license of that health care professional; however, a licensed health care professional shall not advertise to the public or any private group or business by using any title or description of services that includes the term "genetic counseling" unless the health care professional is licensed under the Genetic Counseling Act.

B. The Genetic Counseling Act shall not apply to or affect:

- (1) a physician licensed under the Medical Practice Act;
- (2) a commissioned physician or surgeon serving in the armed forces of the United States or a federal agency; or
- (3) an osteopathic physician licensed by the board of osteopathic medical examiners.

Chapter 53 Section 6 Laws 2008

Section 6. REQUIREMENTS FOR LICENSING.--The board shall grant a license to practice genetic counseling to a person who has:

A. submitted to the board:

- (1) a completed application for licensing on the form provided by the board;
- (2) required documentation as determined by the board;
- (3) the required fees;
- (4) an affidavit stating that the applicant has not been found guilty of unprofessional conduct or incompetence;
- (5) satisfactory documentation of having earned:
 - (a) a master's degree from a genetic counseling training program that is accredited by the ABGC, or an equivalent as determined by the board; or

(b) a doctoral degree from a medical genetics training program that is accredited by the ABMG, or an equivalent as determined by the board; and

(6) proof that the applicant is ABGC- or ABMG-certified; and

B. complied with any other requirements of the board.

Chapter 53 Section 7 Laws 2008

Section 7. LICENSE RENEWAL.--

A. A licensee shall renew the licensee's genetic counseling license biennially by submitting prior to the date established by the board:

(1) the completed application for license renewal on the form provided by the board; and

(2) the required fee for annual license renewal.

B. The board may require proof of continuing education or other proof of competence as a requirement for renewal.

C. A sixty-day grace period shall be allowed a licensee after the end of the licensing period, during which time the license may be renewed by submitting:

(1) the completed application for license renewal on the form provided by the board;

(2) the required fee for annual license renewal; and

(3) the required late fee.

D. A genetic counselor's license not renewed at the end of the grace period shall be considered expired, and the licensee shall not be eligible to practice within the state. For reinstatement of an expired license within one year of the date of renewal, the board shall establish requirements or fees that are in addition to the fee for annual license renewal and may require the former licensee to reapply as a new applicant.

Chapter 53 Section 8 Laws 2008

Section 8. TEMPORARY LICENSE.--

A. The board may issue a temporary license to an applicant who has met all licensure requirements except the examination requirement. The temporary license

is valid until the results of the next scheduled examination are available and a license is issued or denied. The temporary license automatically expires if the applicant fails to take the next scheduled examination, or upon release of official examination results if the applicant fails the examination.

B. The board may issue a temporary license to a person licensed in another state or country who:

(1) is in New Mexico temporarily to teach or assist a New Mexico resident licensed to practice genetic counseling; or

(2) met the requirements for licensure in that state, which were equal to or greater than the requirements for licensure in New Mexico at the time the license was obtained in the other state.

C. The board shall not issue a temporary license to a person who qualifies for the temporary license under Subsection A of this section more than two consecutive times within the five-year period immediately following the issuance of the first temporary license.

D. A person practicing genetic counseling under a temporary license shall be supervised by a licensed genetic counselor or physician.

Chapter 53 Section 9 Laws 2008

Section 9. FEES.--The board shall establish a schedule of reasonable administrative and licensing fees, but an individual fee shall not exceed four hundred dollars (\$400).

Chapter 53 Section 10 Laws 2008

Section 10. CRIMINAL OFFENDER EMPLOYMENT ACT.--The provisions of the Criminal Offender Employment Act shall govern any consideration of criminal records required or permitted by the Genetic Counseling Act.

Chapter 53 Section 11 Laws 2008

Section 11. Section 61-6-5 NMSA 1978 (being Laws 1973, Chapter 361, Section 2, as amended) is amended to read:

"61-6-5. DUTIES AND POWERS.--The board shall:

A. enforce and administer the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Genetic Counseling Act and the Impaired Health Care Provider Act;

B. adopt, publish and file, in accordance with the Uniform Licensing Act and the State Rules Act, all rules for the implementation and enforcement of the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Genetic Counseling Act and the Impaired Health Care Provider Act;

C. adopt and use a seal;

D. administer oaths to all applicants, witnesses and others appearing before the board, as appropriate;

E. take testimony on matters within the board's jurisdiction;

F. keep an accurate record of all its meetings, receipts and disbursements;

G. maintain records in which the name, address and license number of all licensees shall be recorded, together with a record of all license renewals, suspensions, revocations, probations, stipulations, censures, reprimands and fines;

H. grant, deny, review, suspend and revoke licenses to practice medicine and censure, reprimand, fine and place on probation and stipulation licensees and applicants in accordance with the Uniform Licensing Act for any cause stated in the Medical Practice Act and the Impaired Health Care Provider Act;

I. hire staff and administrators as necessary to carry out the provisions of the Medical Practice Act;

J. have the authority to hire or contract with investigators to investigate possible violations of the Medical Practice Act;

K. have the authority to hire a competent attorney to give advice and counsel in regard to any matter connected with the duties of the board, to represent the board in any legal proceedings and to aid in the enforcement of the laws in relation to the medical profession and to fix the compensation to be paid to such attorney; provided, however, that such attorney shall be compensated from the funds of the board;

L. establish continuing medical education requirements for licensed physicians and continuing education requirements for physician assistants;

M. establish committees as it deems necessary for carrying on its business;

N. hire or contract with a licensed physician to serve as medical director and fulfill specified duties of the secretary-treasurer; and

O. establish and maintain rules related to the management of pain based on review of national standards for pain management."

Chapter 53 Section 12 Laws 2008

Section 12. Section 61-6-15 NMSA 1978 (being Laws 1969, Chapter 46, Section 6, as amended) is amended to read:

"61-6-15. LICENSE MAY BE REFUSED, REVOKED OR SUSPENDED--
LICENSEE MAY BE FINED, CENSURED OR REPRIMANDED-- PROCEDURE--
PRACTICE AFTER SUSPENSION OR REVOCATION--PENALTY--
UNPROFESSIONAL AND DISHONORABLE CONDUCT DEFINED--FEES AND
EXPENSES.--

A. The board may refuse to license and may revoke or suspend a license that has been issued by the board or a previous board and may fine, censure or reprimand a licensee upon satisfactory proof being made to the board that the applicant for or holder of the license has been guilty of unprofessional or dishonorable conduct. The board may also refuse to license an applicant who is unable to practice medicine, practice as a physician assistant or an anesthesiologist assistant or practice genetic counseling, pursuant to Section 61-7-3 NMSA 1978. All proceedings shall be as required by the Uniform Licensing Act or the Impaired Health Care Provider Act.

B. The board may, in its discretion and for good cause shown, place the licensee on probation on the terms and conditions it deems proper for protection of the public, for the purpose of rehabilitation of the probationer or both. Upon expiration of the term of probation, if a term is set, further proceedings may be abated by the board if the holder of the license furnishes the board with evidence that the licensee is competent to practice, is of good moral character and has complied with the terms of probation.

C. If evidence fails to establish to the satisfaction of the board that the licensee is competent and is of good moral character or if evidence shows that the licensee has not complied with the terms of probation, the board may revoke or suspend the license. If a license to practice in this state is suspended, the holder of the license may not practice during the term of suspension. A person whose license has been revoked or suspended by the board and who thereafter practices or attempts or offers to practice in New Mexico, unless the period of suspension has expired or been modified by the board or the license reinstated, is guilty of a felony and shall be punished as provided in Section 61-6-20 NMSA 1978.

D. "Unprofessional or dishonorable conduct", as used in this section, means, but is not limited to because of enumeration, conduct of a licensee that includes the following:

- (1) procuring, aiding or abetting a criminal abortion;

- (2) employing a person to solicit patients for the licensee;
- (3) representing to a patient that a manifestly incurable condition of sickness, disease or injury can be cured;
- (4) obtaining a fee by fraud or misrepresentation;
- (5) willfully or negligently divulging a professional confidence;
- (6) conviction of an offense punishable by incarceration in a state penitentiary or federal prison or conviction of a misdemeanor associated with the practice of the licensee. A copy of the record of conviction, certified by the clerk of the court entering the conviction, is conclusive evidence;
- (7) habitual or excessive use of intoxicants or drugs;
- (8) fraud or misrepresentation in applying for or procuring a license to practice in this state or in connection with applying for or procuring renewal, including cheating on or attempting to subvert the licensing examinations;
- (9) making false or misleading statements regarding the skill of the licensee or the efficacy or value of the medicine, treatment or remedy prescribed or administered by the licensee or at the direction of the licensee in the treatment of a disease or other condition of the human body or mind;
- (10) impersonating another licensee, permitting or allowing a person to use the license of the licensee or practicing as a licensee under a false or assumed name;
- (11) aiding or abetting the practice of a person not licensed by the board;
- (12) gross negligence in the practice of a licensee;
- (13) manifest incapacity or incompetence to practice as a licensee;
- (14) discipline imposed on a licensee by another state, including denial, probation, suspension or revocation, based upon acts by the licensee similar to acts described in this section. A certified copy of the record of suspension or revocation of the state making the suspension or revocation is conclusive evidence;
- (15) the use of a false, fraudulent or deceptive statement in a document connected with the practice of a licensee;
- (16) fee splitting;

(17) the prescribing, administering or dispensing of narcotic, stimulant or hypnotic drugs for other than accepted therapeutic purposes;

(18) conduct likely to deceive, defraud or harm the public;

(19) repeated similar negligent acts;

(20) employing abusive billing practices;

(21) failure to report to the board any adverse action taken against the licensee by:

(a) another licensing jurisdiction;

(b) a peer review body;

(c) a health care entity;

(d) a professional or medical society or association;

(e) a governmental agency;

(f) a law enforcement agency; or

(g) a court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section;

(22) failure to report to the board surrender of a license or other authorization to practice in another state or jurisdiction or surrender of membership on any medical staff or in any medical or professional association or society following, in lieu of and while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section;

(23) failure to furnish the board, its investigators or representatives with information requested by the board;

(24) abandonment of patients;

(25) being found mentally incompetent or insane by a court of competent jurisdiction;

(26) injudicious prescribing, administering or dispensing of a drug or medicine;

(27) failure to adequately supervise, as provided by board rule, a medical or surgical assistant or technician or professional licensee who renders health care;

(28) sexual contact with a patient or person who has authority to make medical decisions for a patient, other than the spouse of the licensee;

(29) conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public;

(30) the surrender of a license or withdrawal of an application for a license before another state licensing board while an investigation or disciplinary action is pending before that board for acts or conduct similar to acts or conduct that would constitute grounds for action pursuant to this section;

(31) sexual contact with a former mental health patient of the licensee, other than the spouse of the licensee, within one year from the end of treatment;

(32) sexual contact with a patient when the licensee uses or exploits treatment, knowledge, emotions or influence derived from the previous professional relationship;

(33) improper management of medical records, including failure to maintain timely, accurate, legible and complete medical records;

(34) failure to provide pertinent and necessary medical records to a physician or patient of the physician in a timely manner when legally requested to do so by the patient or by a legally designated representative of the patient;

(35) undertreatment of pain as provided by board rule;

(36) interaction with physicians, hospital personnel, patients, family members or others that interferes with patient care or could reasonably be expected to adversely impact the quality of care rendered to a patient;

(37) soliciting or receiving compensation by a physician assistant or anesthesiologist assistant from a person who is not an employer of the assistant; or

(38) willfully or negligently divulging privileged information or a professional secret.

E. As used in this section, "fee splitting" includes offering, delivering, receiving or accepting any unearned rebate, refunds, commission preference, patronage dividend, discount or other unearned consideration, whether in the form of money or otherwise, as compensation or inducement for referring patients, clients or

customers to a person, irrespective of any membership, proprietary interest or co-ownership in or with a person to whom the patients, clients or customers are referred.

F. Licensees whose licenses are in a probationary status shall pay reasonable expenses for maintaining probationary status, including laboratory costs when laboratory testing of biological fluids are included as a condition of probation."

Chapter 53 Section 13 Laws 2008

Section 13. Section 61-6-31 NMSA 1978 (being Laws 1989, Chapter 269, Section 27, as amended) is amended to read:

"61-6-31. DISPOSITION OF FUNDS--NEW MEXICO MEDICAL BOARD FUND CREATED--METHOD OF PAYMENTS.--

A. There is created the "New Mexico medical board fund".

B. All funds received by the board and money collected under the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Genetic Counseling Act and the Impaired Health Care Provider Act shall be deposited with the state treasurer who shall place the same to the credit of the New Mexico medical board fund.

C. All payments out of the fund shall be made on vouchers issued and signed by the secretary-treasurer of the board or the designee of the secretary-treasurer upon warrants drawn by the department of finance and administration in accordance with the budget approved by that department.

D. All amounts in the New Mexico medical board fund shall be subject to the order of the board and shall be used only for the purpose of meeting necessary expenses incurred in:

(1) the performance of the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Genetic Counseling Act and the Impaired Health Care Provider Act and the duties and powers imposed by those acts; and

(2) the promotion of medical education and standards in this state within the budgetary limits.

E. All funds that may have accumulated to the credit of the board under any previous law shall be transferred to the New Mexico medical board fund and shall continue to be available for use by the board in accordance with the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Genetic Counseling Act and the Impaired Health Care Provider Act. All money unused at the end of the fiscal year shall not revert, but shall remain in the fund for use

in accordance with the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Genetic Counseling Act and the Impaired Health Care Provider Act."

Chapter 53 Section 14 Laws 2008

Section 14. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2009.

Senate Bill 415, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 54

AN ACT

RELATING TO PROFESSIONAL LICENSING; CREATING THE POLYSOMNOGRAPHY PRACTICE ACT; PROVIDING LICENSING REQUIREMENTS FOR POLYSOMNOGRAPHIC TECHNOLOGISTS; GIVING DUTIES TO THE NEW MEXICO MEDICAL BOARD; CREATING CRIMINAL AND CIVIL PENALTIES; MAKING AN APPROPRIATION.

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

Chapter 54 Section 1 Laws 2008

Section 1. A new section of the Medical Practice Act is enacted to read:

"SHORT TITLE.--Sections 1 through 10 of this act may be cited as the "Polysomnography Practice Act"."

Chapter 54 Section 2 Laws 2008

Section 2. A new section of the Medical Practice Act is enacted to read:

"DEFINITIONS.--As used in the Polysomnography Practice Act:

- A. "board" means the New Mexico medical board;
- B. "committee" means the polysomnography practice advisory committee;

C. "direct supervision" means that the polysomnographic technologist providing supervision shall be present in the area where the polysomnographic procedure is being performed and immediately available to furnish assistance and direction throughout the performance of the procedure;

D. "general supervision" means that the polysomnographic procedure is provided under a physician's direction and control, but the physician's presence is not required during the performance of the procedure;

E. "license" means an authorization issued by the board that permits a person to engage in the practice of polysomnography in the state;

F. "licensed provider" means a licensed physician, licensed physician assistant, licensed certified nurse practitioner or licensed psychologist;

G. "licensee" means a person licensed by the board to engage in the practice of polysomnography;

H. "polysomnographic student" means a person who is enrolled in an educational program that is accredited by the commission on accreditation of allied health education programs, as provided in Section 5 of the Polysomnography Practice Act, and who may provide sleep-related services under the direct supervision of a polysomnographic technologist as a part of the person's educational program;

I. "polysomnographic technician" means a person who has graduated from an accredited educational program described in Section 5 of the Polysomnography Practice Act but has not yet passed the national certifying examination given by the board of registered polysomnographic technologists, who has obtained a temporary permit from the board and who may provide sleep-related services under the general supervision of a licensed physician;

J. "polysomnographic technologist" means a person who is credentialed by the board of registered polysomnographic technologists and is licensed by the board to engage in the practice of polysomnography under the general supervision of a licensed physician;

K. "polysomnographic trainee" means a person who is enrolled in an accredited sleep technologist educational program that is accredited by the American academy of sleep medicine and who may provide sleep-related services under the direct supervision of a polysomnographic technologist as a part of the person's educational program;

L. "practice of polysomnography" means the performance of diagnostic and therapeutic tasks, under the general supervision of a licensed physician, including:

(1) monitoring and recording physiologic activity and data during the evaluation or treatment of sleep-related disorders, including sleep-related respiratory disturbances, by applying appropriate techniques, equipment and procedures, including:

(a) continuous or bi-level positive airway pressure titration on patients using a nasal or oral or a nasal and oral mask or appliance that does not extend into the trachea or attach to an artificial airway, including the fitting and selection of a mask or appliance and the selection and implementation of treatment settings;

(b) supplemental low-flow oxygen therapy that is less than ten liters per minute using nasal cannula or continuous or bi-level positive airway pressure during a polysomnogram;

(c) capnography during a polysomnogram;

(d) cardiopulmonary resuscitation;

(e) pulse oximetry;

(f) gastroesophageal pH monitoring;

(g) esophageal pressure monitoring;

(h) sleep staging, including surface electroencephalography, surface electrooculography and surface submental electromyography;

(i) surface electromyography;

(j) electrocardiography;

(k) respiratory effort monitoring, including thoracic and abdominal movement;

(l) respiratory plethysmography;

(m) arterial tonometry and additional measures of autonomic nervous system tone;

(n) snore monitoring;

(o) audio or video monitoring;

(p) body movement monitoring;

(q) nocturnal penile tumescence monitoring;

(r) nasal and oral airflow monitoring;

(s) body temperature monitoring; and

(t) use of additional sleep-related diagnostic technologies as determined by a rule adopted by the board;

(2) observing and monitoring physical signs and symptoms, general behavior and general physical response to polysomnographic evaluation or treatment and determining whether initiation, modification or discontinuation of a treatment regimen is warranted;

(3) analyzing and scoring data collected during the monitoring described in Paragraphs (1) and (2) of this subsection for the purpose of assisting a licensed provider in the diagnosis and treatment of sleep and wake disorders that result from developmental defects, the aging process, physical injury, disease or actual or anticipated somatic dysfunction;

(4) implementing a written or verbal order from a licensed provider that requires the practice of polysomnography;

(5) educating a patient regarding the treatment regimen that assists that patient in improving the patient's sleep; and

(6) initiating and monitoring treatment, under the orders of a licensed provider, for sleep-related breathing disorders by providing continuous positive airway pressure and bi-level positive airway pressure devices and accessories, including masks that do not extend into the trachea or attach to an artificial airway, to a patient for home use, together with educating the patient about the treatment and managing the treatment; and

M. "sleep-related services" means acts performed by polysomnographic technicians, polysomnographic trainees, polysomnographic students and other persons permitted to perform these services under the Polysomnography Practice Act, in a setting described in Subsection D of Section 4 of the Polysomnography Practice Act, that would be considered the practice of polysomnography if performed by a polysomnographic technologist."

Chapter 54 Section 3 Laws 2008

Section 3. A new section of the Medical Practice Act is enacted to read:

"LICENSE REQUIRED--EXCEPTIONS--PRACTICE LIMITATIONS--
APPLICABILITY.--

A. On and after July 1, 2010, a person who is engaged in the practice of polysomnography must have a valid polysomnographic technologist license issued by the board. It shall be unlawful for a person to engage in the practice of polysomnography after that date unless the person has a valid polysomnographic technologist license issued by the board.

B. Prior to July 1, 2010, any person who is engaged in the practice of polysomnography without being licensed under the Polysomnography Practice Act shall not be deemed to be in violation of that act."

Chapter 54 Section 4 Laws 2008

Section 4. A new section of the Medical Practice Act is enacted to read:

"EXEMPTIONS.--

A. The following classes of persons may provide sleep-related services without being licensed as a polysomnographic technologist:

(1) a polysomnographic technician under the general supervision of a licensed physician for no more than two years from the date of the person's graduation from one of the accredited programs described in Section 5 of the Polysomnography Practice Act; provided that the board may grant a one-time extension of up to one year beyond the original two-year period;

(2) a polysomnographic trainee who may provide sleep-related services under the direct supervision of a polysomnographic technologist as a part of the trainee's educational program while actively enrolled in an accredited sleep technologist educational program that is accredited by the American academy of sleep medicine;

(3) a polysomnographic student who may provide uncompensated sleep-related services under the direct supervision of a polysomnographic technologist as a part of the student's educational program while actively enrolled in a polysomnographic educational program that is accredited by the commission on accreditation of allied health education programs; and

(4) a person, other than a respiratory care practitioner licensed under the Respiratory Care Act, credentialed in one of the health-related fields accepted by the board of registered polysomnographic technologists, who may provide sleep-related services under the direct supervision of a polysomnographic technologist for a period of up to one year while obtaining the clinical experience necessary to be eligible to take the examination given by the board of registered polysomnographic technologists.

B. Before providing any sleep-related services:

(1) a polysomnographic technician shall obtain a temporary permit from the board and when providing services shall wear a badge that appropriately identifies the person as a polysomnographic technician;

(2) a polysomnographic trainee shall give notice to the board that the trainee is enrolled in an accredited sleep technologist educational program accredited by the American academy of sleep medicine. When providing services, the trainee shall wear a badge that appropriately identifies the person as a polysomnographic trainee;

(3) a person who is obtaining clinical experience pursuant to Paragraph (4) of Subsection A of this section shall give notice to the board that the person is working under the direct supervision of a polysomnographic technologist in order to gain the experience to be eligible to take the examination given by the board of registered polysomnographic technologists. When providing services, the person shall wear a badge that appropriately identifies that the person is obtaining clinical experience; and

(4) a polysomnographic student shall wear a badge that appropriately identifies the person as a polysomnographic student.

C. A licensed dentist shall make or direct the making and use of any oral appliance used in the practice of polysomnography and shall evaluate the structures of a patient's oral and maxillofacial region for purposes of fitting the appliance.

D. The practice of polysomnography shall take place only in a hospital, a stand-alone sleep laboratory or sleep center or in a patient's home in accordance with a licensed provider's order; provided that the scoring of data and the education of patients may take place in settings other than in a hospital, sleep laboratory, sleep center or patient's home.

E. The Polysomnography Practice Act shall not apply to:

(1) a physician licensed under the Medical Practice Act;

(2) diagnostic electroencephalograms conducted in accordance with the guidelines of the American clinical neurophysiology society;

(3) a person who is employed in the practice of polysomnography by a federal government facility or agency in New Mexico; or

(4) a person qualified as a member of a recognized profession, the practice of which requires a license or is regulated pursuant to the laws of New Mexico, who renders services within the scope of the person's license or other regulatory authority; provided that the person does not represent that the person is a polysomnographic technologist."

Chapter 54 Section 5 Laws 2008

Section 5. A new section of the Medical Practice Act is enacted to read:

"REQUIREMENTS FOR LICENSING.--

A. The board shall grant a license to engage in the practice of polysomnography to a person who has submitted to the board:

(1) a completed application for licensing on the form provided by the board;

(2) required documentation as determined by the board;

(3) the required fees;

(4) an affidavit stating that the applicant has not been found guilty of unprofessional conduct or incompetence;

(5) satisfactory documentation of either:

(a) graduation from a polysomnographic educational program that is accredited by the commission on accreditation of allied health education programs;

(b) graduation from a respiratory care educational program that is accredited by the commission on accreditation of allied health education programs and completion of the curriculum for a polysomnography certificate established and accredited by the committee on accreditation for respiratory care of the commission on accreditation of allied health education programs;

(c) graduation from an electroneurodiagnostic technologist educational program with a polysomnographic technology track that is accredited by the commission on accreditation of allied health education programs; or

(d) successful completion of an accredited sleep technologist educational program that is accredited by the American academy of sleep medicine; provided, however, this optional requirement shall not be available after the date on which there are at least three polysomnographic technologist educational programs in New Mexico that have been accredited by the commission on accreditation of allied health education programs for at least the two years immediately preceding that date; and

(6) satisfactory documentation of having:

(a) passed the national certifying examination given by the board of registered polysomnographic technologists or having passed a national certifying examination equivalent to the board of registered polysomnographic technologists' examination as determined by a rule adopted by the New Mexico medical board;

(b) been credentialed by the board of registered polysomnographic technologists or by another national entity equivalent to the board of polysomnographic technologists as determined by rule adopted by the New Mexico medical board;

(c) met any additional educational or clinical requirements established by the board pursuant to rule; and

(d) met all other requirements of the Polysomnography Practice Act.

B. A person who is engaged in the practice of polysomnography on July 1, 2008 shall be eligible for a license under the Polysomnography Practice Act without meeting the educational requirement of Paragraph (5) of Subsection A of this section, provided that the person meets the requirements of Paragraph (6) of Subsection A of this section.

C. The board may require:

(1) a personal interview with an applicant to evaluate that person's qualifications for a license; and

(2) fingerprints and other information necessary for a state and national criminal background check."

Chapter 54 Section 6 Laws 2008

Section 6. A new section of the Medical Practice Act is enacted to read:

"LICENSE RENEWAL.--

A. A licensee shall renew the licensee's polysomnographic technologist's license biennially by submitting prior to the date established by the board:

(1) the completed application for license renewal on the form provided by the board; and

(2) the required fee for biennial license renewal.

B. The board may require proof of continuing education or other proof of competence as a requirement for renewal.

C. A sixty-day grace period shall be allowed a licensee after the end of the licensing period, during which time the license may be renewed by submitting:

(1) the completed application for license renewal on the form provided by the board;

(2) the required fee for biennial license renewal; and

(3) the required late fee.

D. A polysomnographic technologist's license not renewed at the end of the grace period shall be considered expired, and the licensee shall not be eligible to practice within the state. For reinstatement of an expired license within one year of the date of renewal, the board shall establish requirements or fees that are in addition to the fee for biennial license renewal and may require the former licensee to reapply as a new applicant."

Chapter 54 Section 7 Laws 2008

Section 7. A new section of the Medical Practice Act is enacted to read:

"LICENSE--CONTENTS--DISPLAY--FEES.--

A. A license issued by the board shall contain the name of the person to whom it is issued, the date and number of the license and other information the board may require.

B. The most recent address contained in the board's records for each licensee is the address deemed sufficient for purposes of service of process and correspondence and notice from the board. Any licensee whose address changes shall, within thirty days of the change, notify the board of the address change.

C. A licensee who wishes to retire from the practice of polysomnography shall file with the board an affidavit, in a form to be furnished by the board, stating the date on which the person retired from practice and other information the board may require. If that person wishes to reenter the practice of polysomnography, the person shall meet requirements established by the board for license renewal.

D. A licensee shall display the license in the office or place in which the licensee practices in a location clearly visible to patients.

E. The board shall establish license and administrative fees, but no individual fee shall exceed five hundred dollars (\$500)."

Chapter 54 Section 8 Laws 2008

Section 8. A new section of the Medical Practice Act is enacted to read:

~~"COMMITTEE--CREATION--ORGANIZATION--PER DIEM AND MILEAGE--REMOVAL.--~~

A. The "polysomnography practice advisory committee" is created to advise the board on all matters related to the Polysomnography Practice Act. The board shall provide administrative and financial support to the committee.

B. The committee shall have five members, who are residents of New Mexico, appointed by the board as follows:

(1) two members who are credentialed by the board of registered polysomnographic technologists; provided that when the New Mexico medical board begins issuing licenses, this category of committee members shall be three licensed polysomnographic technologists, with the

then-sitting members in this category being given a reasonable amount of time to become licensed;

(2) one licensed physician who is certified in sleep medicine by a national certifying body recognized by the American academy of sleep medicine;

(3) one person whose background is at the discretion of the board;
and

(4) one member of the public who is not economically or professionally associated with the health care field.

C. Term-length conditions for appointments to the committee are:

(1) for initial appointments, two members each for four-year, three-year and two-year terms and one member for a one-year term;

(2) for regular appointments after the initial appointments, four-year terms;

(3) for a vacancy appointment, the balance of the term; and

(4) for any one member, no more than two terms, including an initial appointment term; provided that a member shall continue to serve on the committee until a replacement is appointed.

D. The committee shall elect annually a chairperson and other officers as the committee determines to be necessary.

E. The committee shall meet at least twice per calendar year and otherwise as often as necessary to conduct business, with four members constituting a quorum and meetings subject to the Open Meetings Act.

F. Members of the committee shall be reimbursed as nonsalaried public officers pursuant to the Per Diem and Mileage Act, and members shall receive no other compensation, perquisite or allowance for their service on the committee.

G. The board may remove from office a member of the committee for neglect of duties required by the Polysomnography Practice Act, malfeasance in office, incompetence or unprofessional conduct."

Chapter 54 Section 9 Laws 2008

Section 9. A new section of the Medical Practice Act is enacted to read:

"BOARD--COMMITTEE--POWERS AND DUTIES.--

A. The board, with the advice of the committee, shall have powers regarding licensing of polysomnographic technologists, temporary permitting of polysomnographic technicians, approval of polysomnography curricula, approval of degree programs in polysomnography and any other matters that are necessary to ensure the training and licensing of competent polysomnographic technologists.

B. The board, with the advice of the committee, shall hold hearings and adopt rules regarding:

(1) the licensing of polysomnographic technologists, the practice of polysomnography and the minimum qualifications and hours of clinical experience and standards of care required for being licensed as a polysomnographic technologist;

(2) criteria for continuing education requirements;

(3) the manner in which records of examinations and treatments shall be kept and maintained;

(4) professional conduct, ethics and responsibility;

(5) disciplinary actions, including the denial, suspension or revocation of or the imposition of restrictions or conditions on a license, and the circumstances that require disciplinary action;

(6) a means to provide information to all polysomnographic technologists licensed in the state;

(7) the inspection of the business premises of a licensee when the board determines that an inspection is necessary;

(8) the investigation of complaints against licensees or persons holding themselves out as engaging in the practice of polysomnography in the state;

(9) the publication of information for the public about licensees and the practice of polysomnography in the state;

(10) an orderly process for reinstatement of a license;

(11) criteria for acceptance of polysomnography credentials or licenses issued in other jurisdictions;

(12) criteria for advertising or promotional materials; and

(13) any matter necessary to implement the Polysomnography Practice Act."

Chapter 54 Section 10 Laws 2008

Section 10. A new section of the Medical Practice Act is enacted to read:

"OFFENSES--CRIMINAL PENALTIES.--A person who engages in the practice of polysomnography without a license is guilty of a misdemeanor and shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978."

Chapter 54 Section 11 Laws 2008

Section 11. Section 61-6-5 NMSA 1978 (being Laws 1973, Chapter 361, Section 2, as amended) is amended to read:

"61-6-5. DUTIES AND POWERS.--The board shall:

A. enforce and administer the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Impaired Health Care Provider Act and the Polysomnography Practice Act;

B. adopt, publish and file, in accordance with the Uniform Licensing Act and the State Rules Act, all rules for the implementation and enforcement of the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Impaired Health Care Provider Act and the Polysomnography Practice Act;

- C. adopt and use a seal;
- D. administer oaths to all applicants, witnesses and others appearing before the board, as appropriate;
- E. take testimony on matters within the board's jurisdiction;
- F. keep an accurate record of all its meetings, receipts and disbursements;
- G. maintain records in which the name, address and license number of all licensees shall be recorded, together with a record of all license renewals, suspensions, revocations, probations, stipulations, censures, reprimands and fines;
- H. grant, deny, review, suspend and revoke licenses to practice medicine and censure, reprimand, fine and place on probation and stipulation licensees and applicants in accordance with the Uniform Licensing Act for any cause stated in the Medical Practice Act and the Impaired Health Care Provider Act;
- I. hire staff and administrators as necessary to carry out the provisions of the Medical Practice Act;
- J. have the authority to hire or contract with investigators to investigate possible violations of the Medical Practice Act;
- K. have the authority to hire a competent attorney to give advice and counsel in regard to any matter connected with the duties of the board, to represent the board in any legal proceedings and to aid in the enforcement of the laws in relation to the medical profession and to fix the compensation to be paid to such attorney; provided, however, that such attorney shall be compensated from the funds of the board;
- L. establish continuing medical education requirements for licensed physicians and continuing education requirements for physician assistants;
- M. establish committees as it deems necessary for carrying on its business;
- N. hire or contract with a licensed physician to serve as medical director and fulfill specified duties of the secretary-treasurer; and
- O. establish and maintain rules related to the management of pain based on review of national standards for pain management."

Chapter 54 Section 12 Laws 2008

Section 12. Section 61-6-6 NMSA 1978 (being Laws 1973, Chapter 361, Section 1, as amended) is amended to read:

"61-6-6. DEFINITIONS.--As used in Chapter 61, Article 6 NMSA 1978:

A. "approved postgraduate training program" means a program approved by the accrediting council on graduate medical education of the American medical association or by the board;

B. "board" means the New Mexico medical board;

C. "licensed physician" means a medical doctor licensed under the Medical Practice Act to practice medicine in New Mexico;

D. "licensee" means a medical doctor, physician assistant, polysomnographic technologist or anesthesiologist assistant licensed by the board to practice in New Mexico;

E. "medical college or school in good standing" means a board-approved medical college or school that has as high a standard as that required by the association of American medical colleges and the council on medical education of the American medical association;

F. "medical student" means a student enrolled in a board-approved medical college or school in good standing;

G. "physician assistant" means a health professional who is licensed by the board to practice as a physician assistant and who provides services to patients under the supervision and direction of a licensed physician;

H. "intern" means a first-year postgraduate student upon whom a degree of doctor of medicine and surgery or equivalent degree has been conferred by a medical college or school in good standing;

I. "resident" means a graduate of a medical college or school in good standing who is in training in a board-approved and accredited residency training program in a hospital or facility affiliated with an approved hospital and who has been appointed to the position of "resident" or "fellow" for the purpose of postgraduate medical training;

J. "the practice of medicine" consists of:

(1) advertising, holding out to the public or representing in any manner that one is authorized to practice medicine in this state;

(2) offering or undertaking to administer, dispense or prescribe a drug or medicine for the use of another person, except as authorized pursuant to a professional or occupational licensing statute set forth in Chapter 61 NMSA 1978;

(3) offering or undertaking to give or administer, dispense or prescribe a drug or medicine for the use of another person, except as directed by a licensed physician;

(4) offering or undertaking to perform an operation or procedure upon a person;

(5) offering or undertaking to diagnose, correct or treat in any manner or by any means, methods, devices or instrumentalities any disease, illness, pain, wound, fracture, infirmity, deformity, defect or abnormal physical or mental condition of a person;

(6) offering medical peer review, utilization review or diagnostic service of any kind that directly influences patient care, except as authorized pursuant to a professional or occupational licensing statute set forth in Chapter 61 NMSA 1978; or

(7) acting as the representative or agent of a person in doing any of the things listed in this subsection;

K. "the practice of medicine across state lines" means:

(1) the rendering of a written or otherwise documented medical opinion concerning diagnosis or treatment of a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic, telephonic or other means from within this state to the physician or the physician's agent; or

(2) the rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic, telephonic or other means from within this state to the physician or the physician's agent;

L. "sexual contact" means touching the primary genital area, groin, anus, buttocks or breast of a patient or allowing a patient to touch another's primary genital area, groin, anus, buttocks or breast in a manner that is commonly recognized as outside the scope of acceptable medical practice;

M. "sexual penetration" means sexual intercourse, cunnilingus, fellatio or anal intercourse, whether or not there is any emission, or introducing any object into the genital or anal openings of another in a manner that is commonly recognized as outside the scope of acceptable medical practice; and

N. "United States" means the fifty states, its territories and possessions and the District of Columbia."

Chapter 54 Section 13 Laws 2008

Section 13. Section 61-6-15 NMSA 1978 (being Laws 1969, Chapter 46, Section 6, as amended) is amended to read:

"61-6-15. LICENSE MAY BE REFUSED, REVOKED OR SUSPENDED--
LICENSEE MAY BE FINED, CENSURED OR REPRIMANDED-- PROCEDURE--
PRACTICE AFTER SUSPENSION OR REVOCATION--PENALTY--
UNPROFESSIONAL AND DISHONORABLE CONDUCT DEFINED--FEES AND
EXPENSES.--

A. The board may refuse to license and may revoke or suspend a license that has been issued by the board or a previous board and may fine, censure or reprimand a licensee upon satisfactory proof being made to the board that the applicant for or holder of the license has been guilty of unprofessional or dishonorable conduct. The board may also refuse to license an applicant who is unable to practice medicine, practice as a physician assistant or an anesthesiologist assistant or engage in the practice of polysomnography, pursuant to Section 61-7-3 NMSA 1978. All proceedings shall be as required by the Uniform Licensing Act or the Impaired Health Care Provider Act.

B. The board may, in its discretion and for good cause shown, place the licensee on probation on the terms and conditions it deems proper for protection of the public, for the purpose of rehabilitation of the probationer or both. Upon expiration of the term of probation, if a term is set, further proceedings may be abated by the board if the holder of the license furnishes the board with evidence that the licensee is competent to practice, is of good moral character and has complied with the terms of probation.

C. If evidence fails to establish to the satisfaction of the board that the licensee is competent and is of good moral character or if evidence shows that the licensee has not complied with the terms of probation, the board may revoke or suspend the license. If a license to practice in this state is suspended, the holder of the license may not practice during the term of suspension. A person whose license has been revoked or suspended by the board and who thereafter practices or attempts or offers to practice in New Mexico, unless the period of suspension has expired or been modified by the board or the license reinstated, is guilty of a felony and shall be punished as provided in Section 61-6-20 NMSA 1978.

D. "Unprofessional or dishonorable conduct", as used in this section, means, but is not limited to because of enumeration, conduct of a licensee that includes the following:

- (1) procuring, aiding or abetting a criminal abortion;

- (2) employing a person to solicit patients for the licensee;
- (3) representing to a patient that a manifestly incurable condition of sickness, disease or injury can be cured;
- (4) obtaining a fee by fraud or misrepresentation;
- (5) willfully or negligently divulging a professional confidence;
- (6) conviction of an offense punishable by incarceration in a state penitentiary or federal prison or conviction of a misdemeanor associated with the practice of the licensee. A copy of the record of conviction, certified by the clerk of the court entering the conviction, is conclusive evidence;
- (7) habitual or excessive use of intoxicants or drugs;
- (8) fraud or misrepresentation in applying for or procuring a license to practice in this state or in connection with applying for or procuring renewal, including cheating on or attempting to subvert the licensing examinations;
- (9) making false or misleading statements regarding the skill of the licensee or the efficacy or value of the medicine, treatment or remedy prescribed or administered by the licensee or at the direction of the licensee in the treatment of a disease or other condition of the human body or mind;
- (10) impersonating another licensee, permitting or allowing a person to use the license of the licensee or practicing as a licensee under a false or assumed name;
- (11) aiding or abetting the practice of a person not licensed by the board;
- (12) gross negligence in the practice of a licensee;
- (13) manifest incapacity or incompetence to practice as a licensee;
- (14) discipline imposed on a licensee by another state, including denial, probation, suspension or revocation, based upon acts by the licensee similar to acts described in this section. A certified copy of the record of suspension or revocation of the state making the suspension or revocation is conclusive evidence;
- (15) the use of a false, fraudulent or deceptive statement in a document connected with the practice of a licensee;
- (16) fee splitting;

(17) the prescribing, administering or dispensing of narcotic, stimulant or hypnotic drugs for other than accepted therapeutic purposes;

(18) conduct likely to deceive, defraud or harm the public;

(19) repeated similar negligent acts;

(20) employing abusive billing practices;

(21) failure to report to the board any adverse action taken against the licensee by:

(a) another licensing jurisdiction;

(b) a peer review body;

(c) a health care entity;

(d) a professional or medical society or association;

(e) a governmental agency;

(f) a law enforcement agency; or

(g) a court for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section;

(22) failure to report to the board surrender of a license or other authorization to practice in another state or jurisdiction or surrender of membership on any medical staff or in any medical or professional association or society following, in lieu of and while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds for action as defined in this section;

(23) failure to furnish the board, its investigators or representatives with information requested by the board;

(24) abandonment of patients;

(25) being found mentally incompetent or insane by a court of competent jurisdiction;

(26) injudicious prescribing, administering or dispensing of a drug or medicine;

(27) failure to adequately supervise, as provided by board rule, a medical or surgical assistant or technician or professional licensee who renders health care;

(28) sexual contact with a patient or person who has authority to make medical decisions for a patient, other than the spouse of the licensee;

(29) conduct unbecoming in a person licensed to practice or detrimental to the best interests of the public;

(30) the surrender of a license or withdrawal of an application for a license before another state licensing board while an investigation or disciplinary action is pending before that board for acts or conduct similar to acts or conduct that would constitute grounds for action pursuant to this section;

(31) sexual contact with a former mental health patient of the licensee, other than the spouse of the licensee, within one year from the end of treatment;

(32) sexual contact with a patient when the licensee uses or exploits treatment, knowledge, emotions or influence derived from the previous professional relationship;

(33) improper management of medical records, including failure to maintain timely, accurate, legible and complete medical records;

(34) failure to provide pertinent and necessary medical records to a physician or patient of the physician in a timely manner when legally requested to do so by the patient or by a legally designated representative of the patient;

(35) undertreatment of pain as provided by board rule;

(36) interaction with physicians, hospital personnel, patients, family members or others that interferes with patient care or could reasonably be expected to adversely impact the quality of care rendered to a patient;

(37) soliciting or receiving compensation by a physician assistant or anesthesiologist assistant from a person who is not an employer of the assistant; or

(38) willfully or negligently divulging privileged information or a professional secret.

E. As used in this section, "fee splitting" includes offering, delivering, receiving or accepting any unearned rebate, refunds, commission preference, patronage dividend, discount or other unearned consideration, whether in the form of money or otherwise, as compensation or inducement for referring patients, clients or

customers to a person, irrespective of any membership, proprietary interest or co-ownership in or with a person to whom the patients, clients or customers are referred.

F. Licensees whose licenses are in a probationary status shall pay reasonable expenses for maintaining probationary status, including laboratory costs when laboratory testing of biological fluids are included as a condition of probation."

Chapter 54 Section 14 Laws 2008

Section 14. Section 61-6-31 NMSA 1978 (being Laws 1989, Chapter 269, Section 27, as amended) is amended to read:

"61-6-31. DISPOSITION OF FUNDS--NEW MEXICO MEDICAL BOARD FUND CREATED--METHOD OF PAYMENTS.--

A. There is created the "New Mexico medical board fund".

B. All funds received by the board and money collected under the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Polysomnography Practice Act and the Impaired Health Care Provider Act shall be deposited with the state treasurer who shall place the same to the credit of the New Mexico medical board fund.

C. All payments out of the fund shall be made on vouchers issued and signed by the secretary-treasurer of the board or the designee of the secretary-treasurer upon warrants drawn by the department of finance and administration in accordance with the budget approved by that department.

D. All amounts in the New Mexico medical board fund shall be subject to the order of the board and shall be used only for the purpose of meeting necessary expenses incurred in:

(1) the performance of the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Polysomnography Practice Act and the Impaired Health Care Provider Act and the duties and powers imposed by those acts; and

(2) the promotion of medical education and standards in this state within the budgetary limits.

E. All funds that may have accumulated to the credit of the board under any previous law shall be transferred to the New Mexico medical board fund and shall continue to be available for use by the board in accordance with the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Polysomnography Practice Act and the Impaired Health Care Provider Act. All money unused at the end of the fiscal year shall not revert, but shall remain in the fund

for use in accordance with the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act, the Polysomnography Practice Act and the Impaired Health Care Provider Act."

Chapter 54 Section 15 Laws 2008

Section 15. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

SFC/Senate Bill 269, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 55

AN ACT

RELATING TO THE NEW MEXICO MEDICAL BOARD; PERMITTING THE NEW MEXICO MEDICAL BOARD TO WAIVE LICENSURE FEES TO RECRUIT AND RETAIN MEDICAL DOCTORS FOR PRACTICE IN THE STATE; EXTENDING THE SUNSET FOR THE NEW MEXICO MEDICAL BOARD AND THE MEDICAL PRACTICE ACT.

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

Chapter 55 Section 1 Laws 2008

Section 1. Section 61-6-5 NMSA 1978 (being Laws 1973, Chapter 361, Section 2, as amended) is amended to read:

"61-6-5. DUTIES AND POWERS.--The board shall:

A. enforce and administer the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act and the Impaired Health Care Provider Act;

B. adopt, publish and file, in accordance with the Uniform Licensing Act and the State Rules Act, all rules for the implementation and enforcement of the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act and the Impaired Health Care Provider Act;

C. adopt and use a seal;

D. administer oaths to all applicants, witnesses and others appearing before the board, as appropriate;

E. take testimony on matters within the board's jurisdiction;

F. keep an accurate record of all its meetings, receipts and disbursements;

G. maintain records in which the name, address and license number of all licensees shall be recorded, together with a record of all license renewals, suspensions, revocations, probations, stipulations, censures, reprimands and fines;

H. grant, deny, review, suspend and revoke licenses to practice medicine and censure, reprimand, fine and place on probation and stipulation licensees and applicants in accordance with the Uniform Licensing Act for any cause stated in the Medical Practice Act and the Impaired Health Care Provider Act;

I. hire staff and administrators as necessary to carry out the provisions of the Medical Practice Act;

J. have the authority to hire or contract with investigators to investigate possible violations of the Medical Practice Act;

K. have the authority to hire a competent attorney to give advice and counsel in regard to any matter connected with the duties of the board, to represent the board in any legal proceedings and to aid in the enforcement of the laws in relation to the medical profession and to fix the compensation to be paid to such attorney; provided, however, that such attorney shall be compensated from the funds of the board;

L. establish continuing medical education requirements for licensed physicians and continuing education requirements for physician assistants;

M. establish committees as it deems necessary for carrying on its business;

N. hire or contract with a licensed physician to serve as medical director and fulfill specified duties of the secretary-treasurer;

O. establish and maintain rules related to the management of pain based on review of national standards for pain management; and

P. have the authority to waive licensure fees for the purpose of medical doctor recruitment and retention."

Chapter 55 Section 2 Laws 2008

Section 2. Section 61-6-31 NMSA 1978 (being Laws 1989, Chapter 269, Section 27, as amended) is amended to read:

"61-6-31. DISPOSITION OF FUNDS--NEW MEXICO MEDICAL BOARD FUND CREATED--METHOD OF PAYMENTS.--

A. There is created the "New Mexico medical board fund".

B. All funds received by the board and money collected under the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act and the Impaired Health Care Provider Act shall be deposited with the state treasurer who shall place the same to the credit of the New Mexico medical board fund.

C. All payments out of the fund shall be made on vouchers issued and signed by the secretary-treasurer of the board or the designee of the secretary-treasurer upon warrants drawn by the department of finance and administration in accordance with the budget approved by that department.

D. All amounts in the New Mexico medical board fund shall be subject to the order of the board and shall be used only for the purpose of meeting necessary expenses incurred in:

(1) the performance of the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act and the Impaired Health Care Provider Act and the duties and powers imposed by those acts;

(2) the promotion of medical education and standards in this state within the budgetary limits; and

(3) efforts to recruit and retain medical doctors for practice in New Mexico.

E. All funds that may have accumulated to the credit of the board under any previous law shall be transferred to the New Mexico medical board fund and shall continue to be available for use by the board in accordance with the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act and the Impaired Health Care Provider Act. All money unused at the end of the fiscal year shall not revert, but shall remain in the fund for use in accordance with the provisions of the Medical Practice Act, the Physician Assistant Act, the Anesthesiologist Assistants Act and the Impaired Health Care Provider Act."

Chapter 55 Section 3 Laws 2008

Section 3. Section 61-6-35 NMSA 1978 (being Laws 1979, Chapter 40, Section 2, as amended) is amended to read:

"61-6-35. TERMINATION OF AGENCY LIFE--DELAYED REPEAL.-- The New Mexico medical board is terminated on July 1, 2015 pursuant to the Sunset Act. The board shall continue to operate according to the provisions of the Medical Practice Act until July 1, 2016. Effective July 1, 2016, the Medical Practice Act is repealed."

Senate Bill 127, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 56

AN ACT

RELATING TO EDUCATION; CHANGING THE CAP ON DUE PROCESS REIMBURSEMENTS.

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

Chapter 56 Section 1 Laws 2008

Section 1. Section 22-29-2 NMSA 1978 (being Laws 1986, Chapter 94, Section 2) is amended to read:

"22-29-2. PURPOSE OF ACT.--The purpose of the Public School Insurance Authority Act is to provide comprehensive core insurance programs, including reimbursement coverage for the costs of providing due process to students with disabilities, for all participating public schools, school board members, school board retirees and public school employees and retirees by expanding the pool of subscribers to maximize cost containment opportunities for required insurance coverage."

Chapter 56 Section 2 Laws 2008

Section 2. Section 22-29-12 NMSA 1978 (being Laws 2007, Chapter 236, Section 3) is amended to read:

"22-29-12. DUE PROCESS REIMBURSEMENT.--The authority shall include due process reimbursement in its self-insured retention risk pool. Each year, the legislature shall authorize the board to collect the due process reimbursement premium from member districts and charter schools to cover the cost of due process reimbursement. From the authorization, the board shall allocate due process reimbursement premiums based on a school district's or charter school's claims experience and other criteria determined by the board. A single due process reimbursement shall not exceed one hundred thousand dollars (\$100,000).

Prior to the beginning of each fiscal year, the authority shall determine the amount of money available in the fund for special education due process reimbursements. The authority shall set forth in its general liability memorandum of coverage the provisions for distribution of that amount for due process reimbursements to school districts and charter schools, including:

A. the process by which school districts and charter schools submit claims for reimbursement by the end of the fiscal year; and

B. the method for distributing the money available to school districts and charter schools on a pro rata basis if the available money is not sufficient to cover all claims."

Chapter 56 Section 3 Laws 2008

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

Senate Bill 145, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 57

AN ACT

RELATING TO ELECTIONS; PROVIDING CANDIDATES WHO FAIL TO RECEIVE PREPRIMARY CONVENTION DESIGNATION AN ALTERNATIVE METHOD OF GAINING PRIMARY BALLOT ACCESS; DECLARING AN EMERGENCY.

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

Chapter 57 Section 1 Laws 2008

Section 1. Section 1-8-33 NMSA 1978 (being Laws 1973, Chapter 228, Section 7, as amended) is amended to read:

"1-8-33. PRIMARY ELECTION LAW--NOMINATING PETITION-- NUMBER OF SIGNATURES REQUIRED.--

A. As used in this section, "total vote" means the sum of all votes cast for all of the party's candidates for governor at the last preceding primary election at which the party's candidate for governor was nominated.

B. Candidates who seek preprimary convention designation shall file nominating petitions at the time of filing declarations of candidacy. Nominating petitions for those candidates shall be signed by a number of voters equal to at least two percent of the total vote of the candidate's party in the state or congressional district, or the following number of voters, whichever is greater: for statewide offices, two hundred thirty voters; and for congressional candidates, seventy-seven voters.

C. Nominating petitions for candidates for any other office to be voted on at the primary election for which nominating petitions are required shall be signed by a number of voters equal to at least three percent of the total vote of the candidate's party in the district or division, or the following number of voters, whichever is greater: for metropolitan court and magistrate courts, ten voters; for the public regulation commission, fifty voters; for the public education commission, twenty-five voters; for state representative, ten voters; for state senator, seventeen voters; and for district attorney and district judge, fifteen voters.

D. A candidate who fails to receive the preprimary convention designation that the candidate sought may collect additional signatures to total at least four percent of the total vote of the candidate's party in the state or congressional district, whichever applies to the office the candidate seeks, and file a new declaration of candidacy and nominating petitions for the office for which the candidate failed to receive a preprimary designation. The declaration of candidacy and nominating petitions shall be filed with the secretary of state either ten days following the date of the preprimary convention at which the candidate failed to receive the designation or on the date all declarations of candidacy and nominating petitions are due pursuant to the provisions of the Primary Election Law, whichever is later."

Chapter 57 Section 2 Laws 2008

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

Senate Bill 1, with emergency clause

Approved February 29, 2008

LAWS 2008, CHAPTER 58

AN ACT

RELATING TO ELECTIONS; CONFORMING CERTAIN ELECTION PROCEDURES WITH FEDERAL LAW; CHANGING THE DEADLINE FOR ACCEPTANCE OF MAILED VOTER REGISTRATION FORMS; PROVIDING PROCEDURES FOR UPDATING AND

PURGING VOTER FILES; PROVIDING FOR EXPEDITED SPECIAL CONGRESSIONAL ELECTIONS; DECLARING AN EMERGENCY.

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

Chapter 58 Section 1 Laws 2008

Section 1. Section 1-4-8 NMSA 1978 (being Laws 1969, Chapter 240, Section 66, as amended) is amended to read:

"1-4-8. DUTIES OF COUNTY CLERK--ACCEPTANCE OF REGISTRATION--CLOSE OF REGISTRATION--FEDERAL QUALIFIED ELECTORS AND OVERSEAS VOTERS--LATE REGISTRATION.--

A. For qualified electors other than federal qualified electors or overseas voters, the following provisions shall apply:

(1) the county clerk shall receive certificates of registration at all times during normal working hours, except that the clerk shall close registration at 5:00p.m. on the twenty-eighth day immediately preceding any election at which the registration books are to be furnished to the precinct board;

(2) registration shall be reopened on the Monday following the election;

(3) for purposes of a municipal or school election, the registration period for those precincts within the municipality or school district is closed at 5:00 p.m. on the twenty-eighth day immediately preceding the municipal or school election and is opened again on the Monday following the election;

(4) during the period when registration is closed, the county clerk shall receive certificates of registration and other documents pertaining thereto but shall not file the certificate of registration in the registration book until the Monday following the election, at which time a voter information document shall be mailed to the registrant at the address shown on the certificate of registration;

(5) when the twenty-eighth day prior to any election referred to in this section is a Saturday, Sunday or legal holiday, registration shall be closed at 5:00 p.m. of the next succeeding regular business day for the office of the county clerk; and

(6) the county clerk shall accept for filing any certificate of registration that is subscribed and dated on or before the twenty-eighth day preceding the election and:

(a) received by the county clerk before 5:00 p.m. on the Friday immediately following the close of registration;

(b) mailed and postmarked not less than twenty-eight days prior to any election referred to in this section; or

(c) accepted at a state agency designated pursuant to Section 1-4-5.2 NMSA 1978.

B. For federal qualified electors and overseas voters, the county clerk shall accept a certificate of registration by electronic transmission from a voter qualified to apply for and vote by absentee ballot in the county if the transmission is received before 5:00 p.m. on the Friday immediately preceding the election."

Chapter 58 Section 2 Laws 2008

Section 2. Section 1-4-28 NMSA 1978 (being Laws 1975, Chapter 255, Section 46, as amended) is amended to read:

"1-4-28. CANCELLATION OF REGISTRATION--CHANGE OF RESIDENCE--NOTICE.--

A. The secretary of state, county clerks and boards of registration, in compliance with the federal National Voter Registration Act of 1993, shall remove from the official list of eligible voters the names of voters who are ineligible to vote due to change of residence.

B. The secretary of state shall issue rules for the cancellation of voter registrations in strict compliance with the federal National Voter Registration Act of 1993."

Chapter 58 Section 3 Laws 2008

Section 3. Section 1-12-69 NMSA 1978 (being Laws 1977, Chapter 222, Section 72, as amended) is amended to read:

"1-12-69. DISPOSITION OF PAPER BALLOTS.--

A. Paper ballots marked by voters and all records related to voting in any election in which a federal candidate appears on the ballot shall be retained and preserved for a period of twenty-two months from the date of the election.

B. Paper ballots marked by voters and all records related to voting in any election in which no federal candidate appears on the ballot shall be retained and preserved for forty-five days after adjournment of the state or county canvassing board, whichever is later.

C. In precincts where a recount or judicial inquiry or inspection of contents is sought, the county clerk shall hold ballots marked by voters and records related to

voting in those precincts intact subject to order of the district court or other authority having jurisdiction of the contest or inspection.

D. Paper ballots marked by voters and records related to voting in any election shall only be destroyed pursuant to rules promulgated by the state records center for destruction of public records.

E. The state records center is authorized to receive for storage and destruction paper ballots marked by voters and records related to voting in any election in which a federal candidate appears on the ballot. At least three days prior to sending the ballots and records to the state records center, the county clerk shall notify the county chair of each political party that participated in the election. The chairs or their designees may inspect the boxes prior to their sealing for delivery.

F. At least three days prior to the destruction by the county clerk of paper ballots marked by voters and records related to voting, the county clerk shall notify the county chair of each political party participating in the election of the time, place and date thereof. The chair of each political party may be present or may have the chair's accredited representative present."

Chapter 58 Section 4 Laws 2008

Section 4. Section 1-15-18.1 NMSA 1978 (being Laws 1983, Chapter 232, Section 16) is amended to read:

"1-15-18.1. UNITED STATES REPRESENTATIVE--VACANCY.--

A. Ten days after a vacancy occurs in the office of United States representative, the governor shall, by proclamation, call a special election to be held not less than eighty-four nor more than ninety-one days after the date of the vacancy for the purpose of filling the vacancy, except as provided in Subsections E and F of this section.

B. Upon the issuance of the governor's proclamation, each qualified political party may nominate in the manner provided by the rules of that party a candidate to fill the vacancy in the office of United States representative; provided that such nomination is certified to the secretary of state by the state chair of that party no later than 5:00 p.m. on the fifty-sixth day preceding the date of the special election.

C. Declarations of independent candidacy to fill the vacancy in the office of United States representative and nominating petitions pertaining thereto shall be filed with the secretary of state no later than 5:00 p.m. on the fifty-sixth day preceding the date of the special election.

D. Special elections called for the purpose of filling a vacancy in the office of United States representative shall be conducted in accordance with the provisions of the Election Code; provided, however, if there is a conflict between this section and other provisions of the Election Code, the provisions of this section shall control.

E. If a vacancy occurs in the office of United States representative after the date of the primary election and before the date of the general election of that same year, the vacancy shall be filled at that general election of the same year. Candidates seeking the office of United States representative in that general election for the next succeeding term shall be deemed to be candidates for the unexpired term as well, and the candidate elected shall take office upon the certification of the election results.

F. If a vacancy occurs in the office of United States representative when there are more than one hundred vacancies in the United States house of representatives and there are more than seventy-five days before a regularly scheduled election or previously scheduled special election, then:

(1) the governor shall, by proclamation, call a special election to be held not more than forty-nine days after the vacancy is announced;

(2) each qualified political party may nominate in the manner provided by the rules of that party a candidate to fill the vacancy in the office of United States representative; provided that such nomination is certified to the secretary of state by the state chair of that party no later than 5:00 p.m. on the tenth business day following announcement of the vacancy; and

(3) declarations of independent candidacy to

fill the vacancy in the office of United States representative and nominating petitions pertaining thereto shall be filed with the secretary of state no later than 5:00 p.m. on the twentieth day following announcement of the vacancy."

Chapter 58 Section 5 Laws 2008

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

Senate Bill 80, as amended, with emergency clause

Approved February 29, 2008

LAWS 2008, CHAPTER 59

AN ACT

RELATING TO ELECTIONS; ELIMINATING THE USE OF VOTERS' SOCIAL SECURITY NUMBERS ON CERTAIN ELECTION-RELATED DOCUMENTS; CHANGING CERTAIN ELECTION CODE TERMINOLOGY; CHANGING THE DEFINITION OF "REQUIRED VOTER IDENTIFICATION"; CHANGING REQUIREMENTS FOR CERTAIN ABSENTEE BALLOT MATERIALS.

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

Chapter 59 Section 1 Laws 2008

Section 1. Section 1-1-24 NMSA 1978 (being Laws 2005, Chapter 270, Section 6) is amended to read:

"1-1-24. REQUIRED VOTER IDENTIFICATION.--As used in the Election Code, "required voter identification" means any of the following forms of identification as chosen by the voter:

A. a physical form of identification, which may be:

(1) an original or copy of a current and valid photo identification with or without an address, which address is not required to match the voter's certificate of registration; or

(2) an original or copy of a utility bill, bank statement, government check, paycheck, student identification card or other government document, including identification issued by an Indian nation, tribe or pueblo, that shows the name and address of the person, the address of which is not required to match the voter's certificate of registration; or

B. a verbal or written statement by the voter of the voter's name, registration address and year of birth; provided, however, that the statement of the voter's name need not contain the voter's middle initial or suffix."

Chapter 59 Section 2 Laws 2008

Section 2. Section 1-4-5 NMSA 1978 (being Laws 1969, Chapter 240, Section 63, as amended) is amended to read:

"1-4-5. METHOD OF REGISTRATION--UNLAWFUL USE OF INFORMATION--PENALTY.--

A. A qualified elector may apply to a registration officer or agent for registration.

B. The registration officer or agent or qualified elector shall fill out each of the blanks on the certificate of registration by typing or printing in ink. The qualified elector shall be given a receipt that shall contain:

(1) a number traceable to the registration agent or officer;

(2) a statement informing the qualified elector that if the qualified elector does not receive confirmation of the qualified elector's registration within fifteen days of the receipt date, the qualified elector should contact the office of the county clerk in the county where the qualified elector resides; and

(3) a toll-free number for the office of the county clerk and an address for the web site of the secretary of state.

C. The qualified elector shall subscribe a certificate of registration as follows:

(1) by signing the certificate of registration using the qualified elector's given name, middle name or initial and last name; or

(2) if any qualified elector seeking to register is unable to read and write either the English or Spanish language or is unable to read or write because of some physical disability, the certificate of such person shall be filled out by a registration officer or agent and the name of the qualified elector so registering shall be subscribed by the making of the qualified elector's mark.

D. When properly executed by the registration agent or officer, or qualified elector, the original of the certificate of registration shall be presented, either in person or by mail by the qualified elector or by the registration agent or officer, to the county clerk of the county in which the qualified elector resides.

E. Only when the certificate of registration is properly filled out, subscribed by the qualified elector and accepted for filing by the county clerk as evidenced by the county clerk's signature or stamp and the date of acceptance thereon shall it constitute an official public record of the registration of the qualified elector. It is unlawful for the qualified elector's date of birth or any portion of the qualified elector's social security number required on the certificate of registration to be copied, conveyed or used by anyone other than the person registering to vote, either before or after it is filed with the county clerk, and by elections administrators in their official capacity.

F. A person who unlawfully copies, conveys or uses information from a certificate of registration is guilty of a fourth degree felony."

Chapter 59 Section 3 Laws 2008

Section 3. Section 1-5-7 NMSA 1978 (being Laws 1969, Chapter 240, Section 109, as amended) is amended to read:

"1-5-7. SIGNATURE ROSTERS AND CHECKLISTS OF VOTERS--
CONTENTS.--

A. The signature roster and checklist of voters for any precinct shall contain for each voter, as shown in the county register, the voter's:

- (1) name;
- (2) gender;
- (3) place of residence;
- (4) year of birth;
- (5) party affiliation, if any; and
- (6) precinct of residence.

B. In addition, the names on each signature roster and checklist of voters shall be numbered consecutively beginning with the number "1".

C. On each page of each signature roster and each checklist of voters there shall be printed the page number and the date and name of the election for which they are to be used."

Chapter 59 Section 4 Laws 2008

Section 4. Section 1-5-8 NMSA 1978 (being Laws 1969, Chapter 240, Section 110, as amended) is amended to read:

"1-5-8. SIGNATURE ROSTER--CHECKLIST OF VOTERS--VOTER LIST--
NUMBER--DISTRIBUTION.--

A. The county clerk shall prepare and certify the accuracy of one signature roster and one checklist of voters for each precinct. The county clerk shall deliver such roster and checklist to each precinct board. The voter shall sign the signature roster before receiving a ballot. The precinct board member shall mark the checklist of voters to verify the voters on the list who have voted.

B. The county clerk shall prepare an alphabetical listing of voters in each precinct, which will be delivered to each precinct board and posted inside the polling place for public use.

C. After the polls have closed, the presiding judge shall deliver the signed signature roster to the county clerk and mail the checklist of voters to the secretary of state."

Chapter 59 Section 5 Laws 2008

Section 5. Section 1-6-4 NMSA 1978 (being Laws 1969, Chapter 240, Section 130, as amended) is amended to read:

"1-6-4. ABSENTEE BALLOT APPLICATION--FEDERAL QUALIFIED ELECTOR--OVERSEAS VOTER.--

A. Application by a federal qualified elector or an overseas voter for an absentee ballot shall be made on the official postcard form prescribed or authorized by the federal government to the county clerk of the county of the applicant's residence. The form shall allow the applicant to receive an absentee ballot for all elections within an election cycle.

B. Application by a voter for an absentee ballot shall be made only on a form prescribed by the secretary of state in accordance with federal law. The form shall identify the applicant and contain information to establish the applicant's qualification for issuance of an absentee ballot under the Absent Voter Act; provided that on the application form for a general election ballot there shall be no box, space or place provided for designation of the voter's political party affiliation.

C. Each application for an absentee ballot shall be subscribed by the applicant and shall require the applicant's printed name, registration address and year of birth to be supplied by the applicant, which shall constitute the required form of identification, except for new registrants who have registered by mail and at that time did not provide acceptable identification. The secretary of state shall issue rules to exempt voters from submitting identification only as required by federal law and shall review and, if necessary, update these rules no later than March 15 of even-numbered years.

D. An application for an absentee ballot by a federal qualified elector or an overseas voter shall be accepted at any time preceding the general election."

Chapter 59 Section 6 Laws 2008

Section 6. Section 1-6-8 NMSA 1978 (being Laws 1969, Chapter 240, Section 134, as amended) is amended to read:

"1-6-8. ABSENTEE BALLOT ENVELOPES.--

A. The secretary of state shall prescribe the form of, procure and distribute to each county clerk a supply of:

(1) official inner envelopes for use in sealing the completed absentee ballot;

(2) official mailing envelopes for use in returning the official inner envelope to the county clerk; provided the official mailing envelope for absentee ballots in a general election shall contain no designation of party affiliation;

(3) absentee ballot instructions, describing proper methods for completion of the ballot and returning it; and

(4) official transmittal envelopes for use by the county clerk in mailing absentee ballot materials.

B. Official transmittal envelopes and official mailing envelopes for transmission of absentee ballot materials to and from the county clerk and federal qualified electors shall be printed in the form prescribed by the federal Uniformed and Overseas Citizens Absentee Voting Act. Official transmittal envelopes and official mailing envelopes for transmission of absentee ballot materials to and from the county clerk and voters shall be printed in black in substantially similar form. All official inner envelopes shall be printed in black.

C. The reverse of each official mailing envelope shall contain a form to be executed by the voter completing the absentee ballot. The form shall identify the voter and shall contain the following statement: "I will not vote in this election other than by the enclosed ballot. I will not receive or offer any compensation or reward for giving or withholding any vote."

D. The official mailing envelope shall contain a space for the voter to record the voter's name, registration address and year of birth. The envelope shall have a security flap to cover this information."

Chapter 59 Section 7 Laws 2008

Section 7. Section 1-6-9 NMSA 1978 (being Laws 1969, Chapter 240, Section 135, as amended) is amended to read:

"1-6-9. MANNER OF VOTING.--

A. A person voting pursuant to the Absent Voter Act shall secretly mark the absentee ballot in the manner provided in the Election Code for marking paper ballots, place it in the official inner envelope and securely seal the envelope. The voter shall then place the official inner envelope inside the official mailing envelope and securely seal the envelope. The voter shall then complete the form on the reverse of the official mailing envelope, which shall include an affirmation by the voter under penalty of perjury that the facts stated in the form are true and the voter's name, registration address and year of birth.

B. Federal qualified electors and overseas voters shall either deliver or mail the official mailing envelope or electronically transmit the absentee ballot to the county clerk of their county of residence or deliver it to a person designated by federal authority to receive executed ballots for transmission to the county clerk of the county of residence or former residence as the case may be. Voters shall either deliver or mail the official mailing envelope to the county clerk of their county of residence."

Chapter 59 Section 8 Laws 2008

Section 8. Section 1-12-7.1 NMSA 1978 (being Laws 1969, Chapter 240, Section 112, as amended) is amended to read:

"1-12-7.1. VOTER LISTS--SIGNATURE ROSTERS--CHECKLIST OF VOTERS--USE DURING ELECTION.--

A. Each precinct board using voter lists shall post securely at or near the entrance of the polling place one copy of an alphabetical list of voters for use of the voters prior to voting. The posted copy shall not contain a listing of voter addresses, years of birth, unique identifiers or social security numbers.

B. The presiding judge of the precinct board shall assign one judge of the board to be in charge of one copy of the checklist of voters, which shall be used to confirm the registration and voting of each person offering to vote.

C. The presiding judge of the precinct board shall assign one election clerk to be in charge of the signature roster.

D. The judge assigned to the checklist of voters used for confirmation of registration and voting shall determine that each person offering to vote is registered and, in the case of a primary election, that the voter is registered in a party designated on the primary election ballot. If the person's registration is confirmed by the presence of the person's name on the checklist of voters and the voter provides the required voter identification, the judge shall announce to the election clerks the list number and the name of the voter as shown on the checklist of voters. If the voter does not provide the required voter identification, the voter shall be allowed to vote on a provisional ballot and shall provide the required voter identification to the county clerk's office before the county canvass begins, or to the precinct board before the polls close, or the voter's provisional ballot shall not be qualified. If the required voter identification is provided, the voter's provisional ballot shall be qualified and the voter shall not vote on any other type of ballot.

E. The election clerk shall locate that list number and name on the signature roster and shall require the voter to sign the voter's usual signature or, if unable to write, to make the voter's mark opposite the voter's printed name. If the voter makes the voter's mark, it shall be witnessed by one of the judges of the precinct board. If the signature roster indicates that the voter is required to present a physical form of

identification before voting, the election judge shall ask the voter for the required physical form of identification. If the voter does not provide the required identification, the voter shall be allowed to vote on a provisional paper ballot; provided, however, that if the voter brings the required physical form of identification to the polling place after casting a provisional ballot, that ballot shall be qualified and the voter shall not vote on any other type of ballot.

F. The election judge shall follow the procedures provided for in Sections 1-12-7.2 and 1-12-8 NMSA 1978 if a person whose name does not appear on the signature roster requests to vote or a person is required to vote on a provisional paper ballot.

G. A voter shall not be permitted to vote until the voter has properly signed the voter's usual signature or made the voter's mark in the signature roster.

H. After the poll is closed, the election clerk in charge of the signature roster shall draw a single horizontal line in ink through each signature space in the signature roster where no signature or mark appears."

Chapter 59 Section 9 Laws 2008

Section 9. Section 1-12-25.3 NMSA 1978 (being Laws 2003, Chapter 356, Section 6, as amended) is amended to read:

"1-12-25.3. PROVISIONAL PAPER BALLOTS--REQUIRED INFORMATION.--

A. At a minimum, the following information shall be printed on the outer envelope for a provisional paper ballot:

- (1) the name and signature of the voter;
 - (2) the voter's registered address, both present and former if applicable;
 - (3) the voter's date of birth;
 - (4) the reason for using the ballot;
 - (5) the precinct and the polling place at which the voter has voted;
- and
- (6) sufficient space to list the disposition of the ballot after review by the county clerk.

B. A provisional paper ballot shall not be rejected for lack of the information required by this section and shall be qualified as long as the voter provides

a valid signature and sufficient information for the clerk to determine the voter is a qualified elector."

Senate Bill 81, without emergency clause

Approved February 29, 2008

LAWS 2008, CHAPTER 60

AN ACT

RELATING TO PUBLIC FINANCE; AUTHORIZING THE NEW MEXICO FINANCE AUTHORITY TO ISSUE ADDITIONAL REVENUE BONDS FOR THE REGIONAL CANCER TREATMENT CENTER AT THE NOR-LEA GENERAL HOSPITAL IN LEA COUNTY; MAKING AN APPROPRIATION.

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

Chapter 60 Section 1 Laws 2008

Section 1. Laws 2006, Chapter 89, Section 1, as amended by Laws 2007, Chapter 215, Section 1, is amended to read:

"Section 1. TEMPORARY PROVISION--NEW MEXICO FINANCE AUTHORITY REVENUE BONDS--PURPOSE--APPROPRIATION.--

A. The New Mexico finance authority may issue and sell revenue bonds in compliance with the New Mexico Finance Authority Act for a term not exceeding twenty years in an amount not exceeding three million dollars (\$3,000,000) for the purpose of designing, constructing, equipping and furnishing additions and improvements to a regional cancer treatment center at the Gila regional medical center in Grant county. The authority may issue and sell revenue bonds authorized by this subsection when the chair of the board of county commissioners of Grant county certifies the need for issuance of the bonds. The net proceeds from the sale of the bonds are appropriated to the local government division of the department of finance and administration for the purposes described in this subsection.

B. After the bonds have been issued pursuant to Subsection A of this section, the New Mexico finance authority may issue and sell revenue bonds in compliance with the New Mexico Finance Authority Act for a term not exceeding twenty years in an amount not exceeding one million five hundred thousand dollars (\$1,500,000) for the purpose of designing, constructing, equipping and furnishing additions and improvements to a regional cancer treatment center at the Nor-Lea general hospital in Lea county. The authority may issue and sell revenue bonds

authorized by this subsection when the chair of the board of trustees of the Nor-Lea special hospital district certifies the need for issuance of the bonds. Provided that, if the authority determines that excess balances exist in the rural county cancer treatment fund above the amount needed to service outstanding bonds, then, in lieu of issuing all or a portion of the bonds, the excess balances may be used for the cancer treatment center funded pursuant to this subsection, but the total of excess balances and bond proceeds shall not exceed one million five hundred thousand dollars (\$1,500,000). The net proceeds from the sale of the bonds and any excess balances are appropriated to the local government division of the department of finance and administration for the purposes described in this subsection.

C. The cigarette tax proceeds distributed to the authority pursuant to Subsection H of Section 7-1-6.11 NMSA 1978 shall be pledged irrevocably for the payment of the principal, interest, premiums and related expenses on the bonds and for payment of the expenses incurred by the authority related to the issuance, sale and administration of the bonds.

D. The cigarette tax proceeds distributed to the authority pursuant to Subsection H of Section 7-1-6.11 NMSA 1978 shall be deposited each month in a separate fund or account of the authority.

E. Upon payment of all principal, interest and other expenses or obligations related to the bonds, the authority shall certify to the secretary of taxation and revenue that all obligations for the bonds issued pursuant to this section have been fully discharged and shall direct the secretary of taxation and revenue to cease distributing cigarette tax proceeds to the authority pursuant to Subsection H of Section 7-1-6.11 NMSA 1978 and to distribute those cigarette tax proceeds to the general fund.

F. Any law authorizing the imposition, collection or distribution of the cigarette tax or that affects the cigarette tax shall not be amended, repealed or otherwise directly or indirectly modified so as to impair or reduce debt service coverage for any outstanding revenue bonds that may be secured by a pledge of those cigarette tax revenues, unless the revenue bonds have been discharged in full or provisions have been made for a full discharge.

G. The authority may additionally secure the revenue bonds issued pursuant to this section by a pledge of money in the public project revolving fund with a lien priority on the money in the public project revolving fund as determined by the authority.

H. The authority may purchase revenue bonds issued pursuant to this section with money in the public project revolving fund pursuant to the provisions of Section 6-21-6 NMSA 1978."

Senate Bill 161

Approved February 29, 2008

LAWS 2008, CHAPTER 61

AN ACT

RELATING TO HIGHER EDUCATION; PROHIBITING CONSIDERATION OF INCOME FROM MILITARY SERVICE IN AWARDS UNDER THE PUBLIC SERVICE LAW LOAN REPAYMENT ACT; PROVIDING FOR AN APPEAL OF AN AWARD DETERMINATION.

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

Chapter 61 Section 1 Laws 2008

Section 1. Section 21-22F-1 NMSA 1978 (being Laws 2005, Chapter 83, Section 1) is amended to read:

"21-22F-1. SHORT TITLE.-- Chapter 21, Article 22F NMSA 1978 may be cited as the "Public Service Law Loan Repayment Act"."

Chapter 61 Section 2 Laws 2008

Section 2. Section 21-22F-3 NMSA 1978 (being Laws 2005, Chapter 83, Section 3) is amended to read:

"21-22F-3. DEFINITIONS.--As used in the Public Service Law Loan Repayment Act:

- A. "committee" means the public service law advisory committee;
- B. "department" means the higher education department;
- C. "legal education" means education at an accredited law school and any bar review preparation courses for the state bar examination;
- D. "loan" means money allocated to defray the costs incidental to a legal education under a contract between the federal government or a commercial lender and a law school student, requiring either repayment of principal and interest or repayment in services;

E. "participating attorney" means an attorney who receives a loan repayment award from the department pursuant to the provisions of the Public Service Law Loan Repayment Act; and

F. "public service employment" means employment with:

(1) an organization that is exempt from taxation pursuant to Section 501(c)(3) of Title 26 of the United States Code and that provides for the care and maintenance of indigent persons in New Mexico through civil legal services;

(2) the public defender department; or

(3) a New Mexico district attorney's office."

Chapter 61 Section 3 Laws 2008

Section 3. Section 21-22F-5 NMSA 1978 (being Laws 2005, Chapter 83, Section 5) is amended to read:

"21-22F-5. LOAN REPAYMENT PROGRAM--PARTICIPANT ELIGIBILITY--AWARD CRITERIA.--

A. An applicant shall be licensed to practice in New Mexico as an attorney and shall declare an intent to practice as an attorney in public service employment.

B. Prior to submitting an application to the public service law loan repayment program, an applicant shall apply to all available legal education loan repayment programs offered by the applicant's law school for which the applicant qualifies.

C. An applicant who intends to practice as an attorney in a public service employment position that earns more than forty-five thousand dollars (\$45,000) per year is not eligible for participation in the public service law loan repayment program.

D. Prior to receiving a loan repayment award, the applicant shall file with the department:

(1) a declaration of intent to practice as an attorney in public service employment;

(2) proof of prior application to all legal education loan repayment programs offered by the applicant's law school for which the applicant qualifies; and

(3) documentation that includes the applicant's total legal education debt, salary, any amounts received by the applicant from other law loan repayment programs and other sources of income deemed by the department as appropriate for

consideration; provided that the applicant shall not be required to disclose amounts of income from military service.

E. Award criteria shall provide that:

(1) preference in making awards shall be to applicants who:

(a) have graduated from the university of New Mexico law school;

(b) have the greatest financial need based on legal education indebtedness and salary;

(c) work in public service employment that has the lowest salaries; and

(d) work in public service employment in underserved areas of New Mexico that are in greatest need of attorneys practicing in public service employment;

(2) an applicant's employment as an attorney in public service employment prior to participation in the public service law loan repayment program shall not count as time spent toward the minimum three-year period of service requirement pursuant to the contract between the participating attorney and the department acting on behalf of the state;

(3) award amounts are dependent upon the applicant's total legal education debt, salary and sources of income other than income from military service deemed by the department as appropriate for consideration;

(4) award amounts may be modified based upon available funding or other special circumstances;

(5) an award shall not exceed the total legal education debt of any participant;

(6) award amounts shall be reduced by the sum of the total award amounts received by the participant from other legal education loan repayment programs; and

(7) an award determination may be appealed to the secretary of higher education.

F. The following legal education debts are not eligible for repayment pursuant to the Public Service Law Loan Repayment Act:

(1) amounts incurred as a result of participation in state or law school loan-for-service programs or other state or law school programs whose purposes state that service be provided in exchange for financial assistance;

(2) scholarships that have a service component or obligation;

(3) personal loans from relatives or friends; and

(4) loans that exceed individual standard school expense levels."

Senate Bill 122

Approved February 29, 2008

LAWS 2008, CHAPTER 62

AN ACT

RELATING TO HEALTH INSURANCE; PROVIDING FOR EXPENDITURES OF A PRESCRIPTION DRUG PROGRAM; MAKING AN APPROPRIATION.

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

Chapter 62 Section 1 Laws 2008

Section 1. Section 61-11-19 NMSA 1978 (being Laws 1969, Chapter 29, Section 18, as amended) is amended to read:

"61-11-19. FUND ESTABLISHED--DISPOSITION--METHOD OF PAYMENT.--

A. There is established in the state treasury the "pharmacy fund".

B. All funds received by the board and all money collected under the Pharmacy Act or any other act administered by the board shall be deposited with the state treasurer for credit to the pharmacy fund.

C. Payments from the pharmacy fund shall be made upon warrants of the secretary of finance and administration on vouchers issued in accordance with the budget approved by the department of finance and administration.

D. Amounts paid into the pharmacy fund prior to October 1, 2005 pursuant to Paragraph (2) of Subsection C of Section 61-11-14 NMSA 1978 are appropriated to the board for a prescription drug program serving persons pursuant to the Medical

Insurance Pool Act; provided that the board enters into an arrangement with a state agency or a state-created entity for the operation of the program.

E. All amounts paid into the pharmacy fund shall only be used for the purpose of meeting necessary expenses incurred in the enforcement of the purposes of the Pharmacy Act and any other acts administered by the board, the duties imposed thereby and the promotion of pharmacy education and standards in this state. All money unused at the end of the fiscal year shall remain in the pharmacy fund for use in accordance with the provisions of the Pharmacy Act.

F. All funds that may have accumulated to the credit of the pharmacy fund shall be continued for use by the board in administration of the Pharmacy Act."

Senate Bill 421

Approved February 29, 2008

LAWS 2008, CHAPTER 63

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
PROVIDING AN EXCEPTION TO PORT-OF-ENTRY REQUIREMENTS FOR
VEHICLES TRANSPORTING AGRICULTURAL PRODUCTS.

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

Chapter 63 Section 1 Laws 2008

Section 1. Section 65-5-1 NMSA 1978 (being Laws 1943, Chapter 125, Section 8, as amended) is amended to read:

"65-5-1. VEHICLES TO STOP AT PORTS OF ENTRY--INFORMATION--
INSPECTION.--

A. All commercial motor carrier vehicles, as defined in the Motor Transportation Act, must enter, leave or travel through the state on designated highways and shall stop at every port of entry as designated by the division for manifesting and clearance stickers, except as provided in Subsection G of this section.

B. The operators of any motor vehicles described in Subsection A of this section shall, upon request, make out and deliver to the agent of the division a manifest showing that part of the following information requested:

- (1) the name of the owner of the vehicle;
- (2) the name of the operator or driver;
- (3) the name of the forwarding or other company in whose service the vehicle is licensed;
- (4) the license number;
- (5) the state in which the vehicle has been granted a common or contract motor carrier permit, if any, and the number of the permit;
- (6) the engine number;
- (7) the serial number of the vehicle;
- (8) a description of the vehicle;
- (9) the point of origin of the shipment;
- (10) the ultimate destination of the shipment;
- (11) the gross vehicle weight of the vehicle and cargo;
- (12) the factory list capacity or the actual capacity if rebuilt;
- (13) the number of taxable miles to be traveled within the state; and
- (14) the nature, amount and coverage of all public liability and other insurance carried upon the vehicle and upon the cargo thereon.

The operator of the vehicle shall declare upon the manifest the name and number of the highways that the operator intends to use within the state and the place where the operator intends to leave the state if the point of final destination is outside the state. The manifest shall be signed by the operator and filed with the person in charge of the port of entry. The operator of the vehicle shall present for inspection to the person in charge of the port of entry a copy of the billing or invoice describing the contents of the cargo and the weight of the cargo.

C. The person in charge of the port of entry may verify the information contained upon the billing or invoice and shall check the license, permit, engine and serial numbers, weight and description of the vehicle. The person shall inspect the vehicle and ascertain whether it is in safe and road-worthy condition, properly equipped with all lights, brakes and other appliances required by any statute of this state, in such condition as to be safe for operation upon the public highways of this state.

D. The person in charge of the port of entry may confirm the contents of the cargo and the weight thereof and is authorized to interview operators to obtain information in respect thereto and, if in doubt as to the declared gross weight, may order the cargo weighed before issuing any clearance certificate for the motor vehicle.

E. The person in charge of the port of entry may inspect the contents of the vehicle to determine whether all taxes on gasoline and motor fuel and excise taxes on alcoholic liquors and all taxes on any other property have been fully paid.

F. The person in charge of the port of entry may inspect the vehicle and its contents to determine whether all laws and all rules and regulations of the departments of this state with respect to public safety, health, welfare and comfort have been fully complied with.

G. An agricultural product transport vehicle is excluded from the requirements of Subsection A of this section if the agricultural product transport vehicle has cleared the port of entry at least once and has successfully passed a commercial vehicle safety alliance level 1 inspection during the current harvest season.

H. As used in this section, "agricultural product transport vehicle" means a motor vehicle, freight trailer or utility trailer or a combination thereof used exclusively for hauling agricultural products harvested in the field."

Chapter 63 Section 2 Laws 2008

Section 2. A new section of Chapter 66, Article 7 NMSA 1978 is enacted to read:

"MULTIPLE TRIP SPECIAL PERMIT ALLOWANCE--FEE--VEHICLES USED TO TRANSPORT AGRICULTURAL PRODUCTS--LIMITATIONS.--

A. An agricultural product transport vehicle may be issued a special permit for an annual fee of two hundred fifty dollars (\$250) to transport loads for multiple trips pursuant to Section 66-7-413 NMSA 1978. The area covered by the special permit shall be specified on the permit.

B. The multiple trip special permits for agricultural product transport vehicles may be issued for up to five thousand pounds over the gross vehicle weight pursuant to Section 66-7-410 NMSA 1978.

C. An agricultural product transport vehicle shall not be operated on highways for which a more strict size or weight limitation is required by federal law.

D. An agricultural product transport vehicle shall not be operated on routes identified by the department as having deficient bridge structures. The owner or operator of the agricultural product transport vehicle shall obtain and have in the owner's or operator's possession a copy of the restrictions imposed by the state

transportation commission pursuant to Section 66-7-415 NMSA 1978 regarding the size and weight of vehicles operated on a highway under the jurisdiction of that commission.

E. As used in this section, "agricultural product transport vehicle" means a motor vehicle, freight trailer or utility trailer or a combination thereof used exclusively for hauling agricultural products harvested in an agricultural area that lies within New Mexico or within New Mexico and in an adjacent state."

SCORC/Senate Bill 551, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 64

AN ACT

RELATING TO COUNTY OR MUNICIPAL ZONING; PROVIDING A ZONING AUTHORITY WITH THE AUTHORITY TO APPROVE SPECIAL EXCEPTIONS DURING THE APPEALS PROCESS.

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

Chapter 64 Section 1 Laws 2008

Section 1. Section 3-21-8 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-20-6, as amended) is amended to read:

"3-21-8. APPEALS TO ZONING AUTHORITY--GROUNDS--STAY OF PROCEEDINGS.--

A. The zoning authority shall provide by resolution the procedure to be followed in considering appeals allowed by this section.

B. Any aggrieved person or any officer, department, board or bureau of the zoning authority affected by a decision of an administrative officer, commission or committee in the enforcement of Sections 3-21-1 through

3-21-14 NMSA 1978 or ordinance, resolution, rule or regulation adopted pursuant to these sections may appeal to the zoning authority. An appeal shall stay all proceedings in furtherance of the action appealed unless the officer, commission or committee from whom the appeal is taken certifies that by reason of facts stated in the certificate, a stay would cause imminent peril of life or property. Upon certification, the proceedings shall not be stayed except by order of district court after notice to the official, commission or committee from whom the appeal is taken and on due cause shown.

C. When an appeal alleges that there is error in any order, requirement, decision or determination by an administrative official, commission or committee in the enforcement of Sections 3-21-1 through 3-21-14 NMSA 1978 or any ordinance, resolution, rule or regulation adopted pursuant to these sections, the zoning authority by a majority vote of all its members may:

(1) authorize, in appropriate cases and subject to appropriate conditions and safeguards, variances or special exceptions from the terms of the zoning ordinance or resolution:

(a) that are not contrary

to the public interest;

(b) where, owing to special conditions, a literal enforcement of the zoning ordinance will result in unnecessary hardship;

(c) so that the spirit of the zoning ordinance is observed and substantial justice done; and

(d) so that the goals and policies of the comprehensive plan are implemented; or

(2) in conformity with Sections 3-21-1 through 3-21-14 NMSA 1978:

(a) reverse any order, requirement, decision or determination of an administrative official, commission or committee;

(b) decide in favor of the appellant;

or

(c) make any change in any order, requirement, decision or determination of an administrative official, commission or committee."

Senate Bill 532, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 65

AN ACT

RELATING TO COUNTIES; INCREASING THE FEES PAID TO SHERIFFS FOR SERVICE OF PROCESS.

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

Chapter 65 Section 1 Laws 2008

Section 1. Section 4-41-16 NMSA 1978 (being Laws 1895, Chapter 35, Section 1, as amended) is amended to read:

"4-41-16. FEES--ATTENDANCE ON COURTS--SESSIONS OF COUNTY COMMISSIONERS--HEARING BEFORE JUDGES.--

A. The sheriffs of this state shall be allowed, except from the state or any state agency, the following fees and compensations:

(1) for serving every writ, citation, order, subpoena or summons, not more than forty dollars (\$40.00);

(2) for every writ of *habeas corpus* or attachment for each defendant, six dollars (\$6.00);

(3) for taking and returning every bond required by law, five dollars (\$5.00);

(4) for levying every execution and return of same, six dollars (\$6.00);

(5) for making, executing and delivering every sheriff's deed, to be paid by the purchaser, six dollars (\$6.00);

(6) for every return of *non est inventus*, fifty cents (\$.50); and

(7) for making every return of any process, order, summons, citation or decree of any court, two dollars (\$2.00).

No sheriff shall collect more than one of the fees listed in this subsection, regardless of how many documents may be served upon one or more individuals, when those documents are served at the same time and at the same location.

B. In the service of any subpoena or summons for witnesses, the sheriff shall be allowed compensation of one dollar (\$1.00) for each of the witnesses so summoned by the sheriff, notwithstanding that the name of the witness may appear in but one copy of the subpoena or summons.

C. It is the duty of the sheriffs of the state to attend:

(1) the sessions of every district court, which attendance shall be paid in the manner now provided by law;

(2) all sessions of the probate court and sessions of the boards of county commissioners, which attendance shall be paid sheriffs out of the general county funds of the county in which the services were rendered; and

(3) at the trial or hearing before magistrates in felony cases, where the arrest is made by the sheriff, either with or without a warrant, which attendance shall be paid as provided in this section out of the general county funds; but sheriffs shall not be allowed any compensation for attending at the trial of any misdemeanor case before any magistrate unless a sheriff made the arrest in the misdemeanor case."

Chapter 65 Section 2 Laws 2008

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

House Bill 263

Approved February 29, 2008

LAWS 2008, CHAPTER 66

AN ACT

RELATING TO COUNTY CLERK FEES; CHANGING FEES FOR RECORDING INSTRUMENTS WITH THE COUNTY CLERK; AUTHORIZING EXPENDITURES FROM THE COUNTY CLERK RECORDING AND FILING FUND; MAKING AN APPROPRIATION; AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

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

Chapter 66 Section 1 Laws 2008

Section 1. Section 14-8-12.2 NMSA 1978 (being Laws 1985, Chapter 122, Section 2, as amended) is amended to read:

"14-8-12.2. RECORDING FEES.--

A. For each instrument recorded, the county clerk shall charge a recording fee of five dollars (\$5.00) for the first page and two dollars (\$2.00) for each additional page or portion thereof of the same instrument.

B. For each instrument recorded, the county clerk may charge, in addition to any other fees authorized by law, including the fee provided in Subsection A of this section, an equipment recording fee. The equipment recording fee shall not exceed four dollars (\$4.00) for each instrument recorded.

C. Amounts collected from the equipment recording fee shall be deposited into a county clerk recording and filing fund, which shall be established by the county.

D. The equipment recording fee and expenditures from the county clerk recording and filing fund shall be determined annually by the county clerk and approved by the board of county commissioners.

E. Expenditures from the county clerk recording and filing fund may be expended only:

(1) to rent, purchase, lease or lease- purchase recording equipment and for supplies, training and maintenance for such equipment;

(2) to rent, purchase, lease or lease- purchase equipment associated with all regular duties in the county clerk's office and for supplies, training and maintenance for such equipment;

(3) to rent, purchase, lease or lease- purchase vehicles associated with all regular duties in the county clerk's office and for supplies, training and maintenance for such vehicles, provided that the county clerk shall report annually to the board of county commissioners the usage, mileage and necessity of any vehicle acquired pursuant to this paragraph; or

(4) for technical assistance, staff travel and training associated with all regular duties of the county clerk's office pursuant to the Per Diem and Mileage Act."

Chapter 66 Section 2 Laws 2008

Section 2. Section 14-8-12.3 NMSA 1978 (being Laws 1985, Chapter 122, Section 3, as amended) is amended to read:

"14-8-12.3. RECORDING FEE--ASSIGNMENTS OR RELEASES OF INTEREST IN PROPERTY.--If an assignment or release assigns or releases an interest in property by reference to more than one grantor, grantee, deed, mortgage, lease or other instrument that created the interest or an instrument that describes more than one deed, mortgage, lease or other instrument as creating the interests in property, there shall be an additional recording fee of five dollars (\$5.00) for each such reference."

Chapter 66 Section 3 Laws 2008

Section 3. REPEAL.--Section 14-8-12 NMSA 1978 (being Laws 1939, Chapter 179, Section 2, as amended) is repealed.

House Bill 327, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 67

AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS; PROVIDING PENALTIES FOR TAMPERING WITH AN IGNITION INTERLOCK DEVICE; DECLARING AN EMERGENCY.

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

Chapter 67 Section 1 Laws 2008

Section 1. Section 66-5-503 NMSA 1978 (being Laws 2003, Chapter 239, Section 3, as amended) is amended to read:

"66-5-503. IGNITION INTERLOCK LICENSE--REQUIREMENTS--EXCLUSIONS.--

A. A person whose driving privilege or driver's license has been revoked or denied may apply for an ignition interlock license from the division.

B. An applicant for an ignition interlock license shall:

(1) provide proof of installation of the ignition interlock device by a traffic safety bureau-approved ignition interlock installer on any vehicle the applicant drives; and

(2) sign an affidavit acknowledging that:

(a) operation by the applicant of any vehicle that is not equipped with an ignition interlock device is subject to penalties for driving with a revoked license;

(b) tampering or interfering with the proper and intended operation of an ignition interlock device may subject the applicant to penalties for driving with a license that was revoked for driving under the influence of intoxicating liquor or drugs or a violation of the Implied Consent Act; and

(c) the applicant shall maintain the ignition interlock device and keep up-to-date records in the motor vehicle showing required service and calibrations and be able to provide the records upon request.

C. A person who has been convicted of homicide by vehicle or great bodily injury by vehicle while under the influence of intoxicating liquor or drugs, as provided in Section 66-8-101 NMSA 1978, shall not be issued an ignition interlock license."

Chapter 67 Section 2 Laws 2008

Section 2. Section 66-5-504 NMSA 1978 (being Laws 2003, Chapter 239, Section 4) is amended to read:

"66-5-504. PENALTIES.--

A. A person who is issued an ignition interlock license and operates a vehicle that is not equipped with an ignition interlock device is driving with a license that was revoked for driving under the influence of intoxicating liquor or drugs or a violation of the Implied Consent Act and may be subject to the penalties provided in Section 66-5-39 NMSA 1978.

B. A person who is issued an ignition interlock license and who knowingly and deliberately tampers or interferes or causes another to tamper or interfere with the proper and intended operation of an ignition interlock device may be subject to the penalties for driving with a license that was revoked for driving under the influence of intoxicating liquor or drugs or a violation of the Implied Consent Act as provided in Section 66-5-39 NMSA 1978."

Chapter 67 Section 3 Laws 2008

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

House Bill 100, as amended, with emergency clause

Approved February 29, 2008

LAWS 2008, CHAPTER 68

AN ACT

RELATING TO EDUCATIONAL RETIREMENT; AMENDING THE EDUCATIONAL RETIREMENT ACT TO LIMIT CONTRIBUTIONS FOR MEMBERS WHOSE SALARIES EXCEED A CERTAIN FEDERAL LIMIT; ENSURING THAT SERVICE CREDIT WILL NOT BE AND HAS NOT BEEN DIMINISHED BY FEDERALLY IMPOSED CONTRIBUTION LIMITS; AUTHORIZING DEPOSITS INTO THE EDUCATIONAL RETIREMENT FUND NECESSARY TO HOLD THE FUND HARMLESS; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 1999.

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

Chapter 68 Section 1 Laws 2008

Section 1. Section 22-11-21 NMSA 1978 (being Laws 1967, Chapter 16, Section 144, as amended) is amended to read:

"22-11-21. CONTRIBUTIONS--MEMBERS--LOCAL ADMINISTRATIVE UNITS.--

A. Except as provided in Subsection C of this section, each member shall make contributions to the fund according to the following schedule:

(1) through June 30, 2005, an amount equal to seven and six-tenths percent of the member's annual salary;

(2) from July 1, 2005 through June 30, 2006, an amount equal to seven and six hundred seventy-five thousandths percent of the member's annual salary;

(3) from July 1, 2006 through June 30, 2007, an amount equal to seven and seventy-five hundredths percent of the member's annual salary;

(4) from July 1, 2007 through June 30, 2008, an amount equal to seven and eight hundred twenty-five thousandths percent of the member's annual salary; and

(5) on and after July 1, 2008, an amount equal to seven and nine-tenths percent of the member's annual salary.

B. Except as provided in Subsection C of this section, each local administrative unit shall make an annual contribution to the fund according to the following schedule:

(1) through June 30, 2005, a sum equal to eight and sixty-five hundredths percent of the annual salary of each member employed by the local administrative unit;

(2) from July 1, 2005 through June 30, 2006, a sum equal to nine and forty-hundredths percent of the annual salary of each member employed by the local administrative unit;

(3) from July 1, 2006 through June 30, 2007, a sum equal to ten and fifteen-hundredths percent of the annual salary of each member employed by the local administrative unit;

(4) from July 1, 2007 through June 30, 2008, a sum equal to ten and ninety-hundredths percent of the annual salary of each member employed by the local administrative unit;

(5) from July 1, 2008 through June 30, 2009, a sum equal to eleven and sixty-five hundredths percent of the annual salary of each member employed by the local administrative unit;

(6) from July 1, 2009 through June 30, 2010, a sum equal to twelve and four-tenths percent of the annual salary of each member employed by the local administrative unit;

(7) from July 1, 2010 through June 30, 2011, a sum equal to thirteen and fifteen-hundredths percent of the annual salary of each member employed by the local administrative unit; and

(8) on and after July 1, 2011, a sum equal to thirteen and nine-tenths percent of the annual salary of each member employed by the local administrative unit.

C. If, in a calendar year, the salary of a member, initially employed by a local administrative unit on or after July 1, 1996, equals the annual compensation limit set pursuant to Section 401(a)(17) of the Internal Revenue Code of 1986, as amended, then:

(1) for the remainder of that calendar year, no additional member contributions or local administrative unit contributions for that member shall be made pursuant to this section; provided that no member shall be denied service credit solely because contributions are not made by the member or on behalf of the member pursuant to the provisions of this subsection; and

(2) the amount of the annual compensation limit shall be divided into four equal portions and, for purposes of attributing contributory employment and crediting service credit, each portion shall be attributable to one of the four quarters of the calendar year."

Chapter 68 Section 2 Laws 2008

Section 2. Section 22-11-47 NMSA 1978 (being Laws 1991, Chapter 118, Section 5, as amended by Laws 1999, Chapter 261, Section 2 and also by Laws 1999, Chapter 274, Section 3) is amended to read:

"22-11-47. ALTERNATIVE RETIREMENT PLAN--ELECTION OF COVERAGE.--

A. Beginning October 1, 1991, any employee of the university of New Mexico, New Mexico state university, New Mexico institute of mining and technology, New Mexico highlands university, eastern New Mexico university or western New Mexico university who is eligible to become a participant may make within ninety days of that date an irrevocable election to participate in the alternative retirement plan. Beginning October 1, 1999, an employee of central New Mexico community college, Clovis community college, Luna community college, Mesalands community college, New Mexico junior college, northern New Mexico college, San Juan college or Santa Fe community college who is eligible to become a participant may make an irrevocable election to participate in the alternative retirement plan within ninety days of the initial date. Thereafter, any employee who is eligible to become a participant may make within the first ninety days of employment with a qualifying state educational institution an irrevocable election to participate in the alternative retirement plan. Any employee who makes the irrevocable election shall become a participant the first day of the first pay period following the election. Any employee who fails to make the irrevocable election within ninety days of October 1, 1991 or October 1, 1999, whichever is applicable, or within the first ninety days of employment with a qualifying state educational institution shall become or remain a regular member if that employee is eligible to be a regular member.

B. Until the time an employee who is eligible to become a participant elects to participate in the alternative retirement plan, that employee shall be a regular member.

C. When an employee elects to become a participant, any employer and employee contributions made as a regular member shall be withdrawn from the fund and applied instead toward the alternative retirement plan as if the participant had been participating in the alternative retirement plan from the commencement of employment with the qualifying state educational institution.

Chapter 68 Section 3 Laws 2008

Section 3. TEMPORARY PROVISION--ADDITIONAL CONTRIBUTIONS TO THE EDUCATIONAL RETIREMENT FUND--RESTORATION OF SERVICE CREDIT.-- For each employee whose member contributions and local administrative unit contributions were incorrectly capped prior to July 1, 2008 because the employee's salary exceeded the annual compensation limit set pursuant to Section 401(a)(17) of the Internal Revenue Code of 1986, as amended:

A. the educational retirement board and the applicable local administrative unit shall jointly determine the amount of member contributions and local administrative unit contributions owed but not paid;

B. the local administrative unit shall deposit into the educational retirement fund the total amount determined pursuant to Subsection A of this section; and

C. upon the deposit pursuant to Subsection B of this section, the educational retirement board shall restore to the member all of the service credit otherwise earned by the member, but not previously credited because of the failure to make contributions, for service during the calendar years in which the contributions were incorrectly capped.

Chapter 68 Section 4 Laws 2008

Section 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

House Bill 616

Approved February 29, 2008

LAWS 2008, CHAPTER 69

AN ACT

RELATING TO BEHAVIORAL HEALTH; PROVIDING FOR RULEMAKING AUTHORITY OF THE INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE; REQUIRING A SEPARATELY IDENTIFIABLE BUDGET REQUEST FOR BEHAVIORAL HEALTH SERVICES.

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

Chapter 69 Section 1 Laws 2008

Section 1. Section 9-7-6.4 NMSA 1978 (being Laws 2004, Chapter 46, Section 8) is amended to read:

"9-7-6.4. INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE.--

A. There is created the "interagency behavioral health purchasing collaborative", consisting of the secretaries of aging and long-term services; Indian

affairs; human services; health; corrections; children, youth and families; finance and administration; workforce solutions; public education; and transportation; the directors of the administrative office of the courts; the New Mexico mortgage finance authority; the governor's commission on disability; the developmental disabilities planning council; the instructional support and vocational rehabilitation division of the public education department; and the New Mexico health policy commission; and the governor's health policy coordinator, or their designees. The collaborative shall be chaired by the secretary of human services with the respective secretaries of health and children, youth and families alternating annually as co-chairs.

B. The collaborative shall meet regularly and at the call of either co-chair and shall:

(1) identify behavioral health needs statewide, with an emphasis on that hiatus between needs and services set forth in the department of health's gap analysis and in ongoing needs assessments, and develop a master plan for statewide delivery of services;

(2) give special attention to regional differences, including cultural, rural, frontier, urban and border issues;

(3) inventory all expenditures for behavioral health, including mental health and substance abuse;

(4) plan, design and direct a statewide behavioral health system, ensuring both availability of services and efficient use of all behavioral health funding, taking into consideration funding appropriated to specific affected departments; and

(5) contract for operation of one or more behavioral health entities to ensure availability of services throughout the state.

C. The plan for delivery of behavioral health services shall include specific service plans to address the needs of infants, children, adolescents, adults and seniors, as well as to address workforce development and retention and quality improvement issues. The plan shall be revised every two years and shall be adopted by the department of health as part of the statewide health plan.

D. The plan shall take the following principles into consideration, to the extent practicable and within available resources:

(1) services should be individually centered and family focused based on principles of individual capacity for recovery and resiliency;

(2) services should be delivered in a culturally responsive manner in a home or community-based setting, where possible;

(3) services should be delivered in the least restrictive and most appropriate manner;

(4) individualized service planning and case management should take into consideration individual and family circumstances, abilities and strengths and be accomplished in consultation with appropriate family, caregivers and other persons critical to the individual's life and well-being;

(5) services should be coordinated, accessible, accountable and of high quality;

(6) services should be directed by the individual or family served to the extent possible;

(7) services may be consumer or family provided, as defined by the collaborative;

(8) services should include behavioral health promotion, prevention, early intervention, treatment and community support; and

(9) services should consider regional differences, including cultural, rural, frontier, urban and border issues.

E. The collaborative shall seek and consider suggestions of Native American representatives from Indian nations, tribes, pueblos and the urban Indian population, located wholly or partially within New Mexico, in the development of the plan for delivery of behavioral health services.

F. Pursuant to the State Rules Act, the collaborative shall adopt rules through the human services department for:

(1) standards of delivery for behavioral health services provided through contracted behavioral health entities, including:

(a) quality management and improvement;

(b) performance measures;

(c) accessibility and availability of services;

(d) utilization management;

(e) credentialing of providers;

(f) rights and responsibilities of consumers and providers;

(g) clinical evaluation and treatment and supporting documentation; and

(h) confidentiality of consumer records; and

(2) approval of contracts and contract amendments by the collaborative, including public notice of the proposed final contract.

G. The collaborative shall, through the human services department, submit a separately identifiable consolidated behavioral health budget request. The consolidated behavioral health budget request shall account for requested funding for the behavioral health services program at the human services department and any other requested funding for behavioral health services from agencies identified in Subsection A of this section that will be used pursuant to Paragraph (5) of Subsection B of this section. Any contract proposed, negotiated or entered into by the collaborative is subject to the provisions of the Procurement Code.

H. The collaborative shall, with the consent of the governor, appoint a "director of the collaborative". The director is responsible for the coordination of day-to-day activities of the collaborative, including the coordination of staff from the collaborative member agencies.

I. The collaborative shall provide a quarterly report to the legislative finance committee on performance outcome measures. The collaborative shall submit an annual report to the legislative finance committee and the interim legislative health and human services committee that provides information on:

(1) the collaborative's progress toward achieving its strategic plans and goals;

(2) the collaborative's performance information, including contractors and providers; and

(3) the number of people receiving services, the most frequently treated diagnoses, expenditures by type of service and other aggregate claims data relating to services rendered and program operations."

House Bill 181

Approved February 29, 2008

LAWS 2008, CHAPTER 70

AN ACT

RELATING TO HEALTH FACILITIES; AUTHORIZING THE STATE TO ACQUIRE A FACILITY TO REPLACE FORT BAYARD MEDICAL CENTER; AUTHORIZING CERTAIN AGREEMENTS TO EFFECTUATE THE ACQUISITION; RATIFYING AND APPROVING A LEASE-PURCHASE AGREEMENT; PROVIDING EXEMPTIONS FROM THE PROCUREMENT CODE; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007; DECLARING AN EMERGENCY.

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

Chapter 70 Section 1 Laws 2008

Section 1. Section 9-7-6.5 NMSA 1978 (being Laws 2005, Chapter 317, Section 1) is amended to read:

"9-7-6.5. AGREEMENTS FOR A REPLACEMENT FACILITY FOR FORT BAYARD MEDICAL CENTER.--

A. Notwithstanding any other provision of state law or rule, the secretary may do one or more of the following:

(1) enter into an agreement, including an agreement with an independent contractor, to operate Fort Bayard medical center or a replacement for Fort Bayard medical center in Grant county;

(2) acquire by purchase, lease, construction, lease-purchase or other financing arrangement a facility to be located in Grant county to replace Fort Bayard medical center, provided that, if the acquisition results in the transfer of the title to the facility, the title to the facility shall be in the name of the property control division of the general services department; or

(3) enter into an agreement with Grant county under which the department may construct or cause to be constructed the facility that will replace the Fort Bayard medical center.

B. The provisions of the Procurement Code shall not apply to the procurement, by either the department or Grant county or both, of tangible personal property, services or construction deemed necessary by the department to effectuate the provisions of this section. However, agreements related to the acquisition of the facility to replace Fort Bayard medical center shall be subject to the provisions of state law regulating the acquisition and disposal of real property by governmental entities.

C. An operating agreement entered into pursuant to this section shall include provisions for the continued employment of all current and future Fort Bayard medical center employees, excluding management employees of the contractor, as state employees, entitled and subject to all the rights and responsibilities of state employees. Under the terms of the agreement and the overall direction of the

department, the independent contractor shall provide management and supervision to state employees at Fort Bayard medical center, including the provision of work assignments, evaluations and promotional and disciplinary actions.

D. Pursuant to Section 15-3-35 NMSA 1978, the legislature ratifies and approves a lease-purchase agreement, in a form approved by the state board of finance, between the department, as lessee-purchaser and Grant county, as lessor-seller, for the facility that will replace the Fort Bayard medical center, provided that, upon transfer of title, title to the facility shall be in the name of the property control division of the general services department."

Chapter 70 Section 2 Laws 2008

Section 2. Section 13-1-98 NMSA 1978 (being Laws 1984, Chapter 65, Section 71, as amended by Laws 2007, Chapter 55, Section 1 and by Laws 2007, Chapter 345, Section 1) is amended to read:

"13-1-98. EXEMPTIONS FROM THE PROCUREMENT CODE.--The provisions of the Procurement Code shall not apply to:

A. procurement of items of tangible personal property or services by a state agency or a local public body from a state agency, a local public body or external procurement unit except as otherwise provided in Sections

13-1-135 through 13-1-137 NMSA 1978;

B. procurement of tangible personal property or services for the governor's mansion and grounds;

C. printing and duplicating contracts involving materials that are required to be filed in connection with proceedings before administrative agencies or state or federal courts;

D. purchases of publicly provided or publicly regulated gas, electricity, water, sewer and refuse collection services;

E. purchases of books and periodicals from the publishers or copyright holders thereof;

F. travel or shipping by common carrier or by private conveyance or to meals and lodging;

G. purchase of livestock at auction rings or to the procurement of animals to be used for research and experimentation or exhibit;

H. contracts with businesses for public school transportation services;

I. procurement of tangible personal property or services, as defined by Sections 13-1-87 and 13-1-93 NMSA 1978, by the corrections industries division of the corrections department pursuant to rules adopted by the corrections industries commission, which shall be reviewed by the purchasing division of the general services department prior to adoption;

J. minor purchases not exceeding five thousand dollars (\$5,000) consisting of magazine subscriptions, conference registration fees and other similar purchases where prepayments are required;

K. municipalities having adopted home rule charters and having enacted their own purchasing ordinances;

L. the issuance, sale and delivery of public securities pursuant to the applicable authorizing statute, with the exception of bond attorneys and general financial consultants;

M. contracts entered into by a local public body with a private independent contractor for the operation, or provision and operation, of a jail pursuant to Sections 33-3-26 and 33-3-27 NMSA 1978;

N. contracts for maintenance of grounds and facilities at highway rest stops and other employment opportunities, excluding those intended for the direct care and support of persons with handicaps, entered into by state agencies with private, nonprofit, independent contractors who provide services to persons with handicaps;

O. contracts and expenditures for services or items of tangible personal property to be paid or compensated by money or other property transferred to New Mexico law enforcement agencies by the United States department of justice drug enforcement administration;

P. contracts for retirement and other benefits pursuant to Sections 22-11-47 through 22-11-52 NMSA 1978;

Q. contracts with professional entertainers;

R. contracts and expenditures for litigation expenses in connection with proceedings before administrative agencies or state or federal courts, including experts, mediators, court reporters, process servers and witness fees, but not including attorney contracts;

S. contracts for service relating to the design, engineering, financing, construction and acquisition of public improvements undertaken in improvement districts pursuant to Subsection L of Section 3-33-14.1 NMSA 1978 and in county improvement districts pursuant to Subsection L of Section 4-55A-12.1 NMSA 1978;

T. works of art for museums or for display in public buildings or places;

U. contracts entered into by a local public body with a person, firm, organization, corporation or association or a state educational institution named in Article 12, Section 11 of the constitution of New Mexico for the operation and maintenance of a hospital pursuant to Chapter 3, Article 44 NMSA 1978, lease or operation of a county hospital pursuant to the Hospital Funding Act or operation and maintenance of a hospital pursuant to the Special Hospital District Act;

V. purchases of advertising in all media, including radio, television, print and electronic;

W. purchases of promotional goods intended for resale by the tourism department;

X. procurement of printing services for materials produced and intended for resale by the cultural affairs department;

Y. procurement by or through the public education department from the federal department of education relating to parent training and information centers designed to increase parent participation, projects and initiatives designed to improve outcomes for students with disabilities and other projects and initiatives relating to the administration of improvement strategy programs pursuant to the federal Individuals with Disabilities Education Act; provided that the exemption applies only to procurement of services not to exceed two hundred thousand dollars (\$200,000);

Z. procurement of services from community rehabilitation programs or qualified individuals pursuant to

the State Use Act;

AA. purchases of products or services for eligible persons with disabilities pursuant to the federal Rehabilitation Act of 1973;

BB. procurement, by either the department of health or Grant county or both, of tangible personal property, services or construction that are exempt from the Procurement Code pursuant to Section 9-7-6.5 NMSA 1978;

CC. contracts for investment advisory services, investment management services or other investment-related services entered into by the educational retirement board, the state investment officer or the retirement board created pursuant to the Public Employees Retirement Act; and

DD. the purchase for resale by the state fair commission of feed and other items necessary for the upkeep of livestock."

Chapter 70 Section 3 Laws 2008

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

House Bill 486, as amended, with emergency clause

Approved February 29, 2008

LAWS 2008, CHAPTER 71

AN ACT

RELATING TO LEGISLATIVE RETIREMENT; PROVIDING A TIME PERIOD FOR CERTAIN MEMBERS TO BECOME ELIGIBLE FOR STATE LEGISLATOR MEMBER COVERAGE PLAN 2.

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

Chapter 71 Section 1 Laws 2008

Section 1. TEMPORARY PROVISION--TIME PERIOD FOR ELIGIBILITY FOR STATE LEGISLATOR MEMBER COVERAGE PLAN 2.--

Notwithstanding the provisions of Sections 10-11-43.1 and

10-11-43.6 NMSA 1978, a legislator or lieutenant governor serving on July 1, 2008 shall be eligible for state legislator member coverage plan 2 if, by December 31, 2008, the legislator or lieutenant governor elects to become a member and:

A. makes a contribution in an amount that, when added to previous contributions, totals five hundred dollars (\$500) for each year of credited service earned prior to December 31, 2008; and

B. pays interest on the amount contributed at an interest rate set by the public employees retirement board.

House Bill 469, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 72

AN ACT

RELATING TO THE MOTOR VEHICLE CODE; ELIMINATING COMMERCIAL DRIVER'S LICENSE TEST WAIVER AUTHORITY; MAKING PENALTIES UNIFORM FOR IMPROPERLY LICENSED DRIVERS OF COMMERCIAL VEHICLES; MAKING THE DEFINITION OF A CONVICTION UNIFORM THROUGHOUT THE MOTOR VEHICLE CODE; RECONCILING MULTIPLE AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 2007.

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

Chapter 72 Section 1 Laws 2008

Section 1. Section 66-5-60 NMSA 1978 (being Laws 1989, Chapter 14, Section 9, as amended) is amended to read:

"66-5-60. COMMERCIAL DRIVER'S LICENSE--QUALIFICATIONS--STANDARDS.--

A. The division shall not issue a commercial driver's license to a person unless that person can establish that New Mexico is the person's state of domicile and has passed a knowledge and skills test for driving a commercial motor vehicle and, for related endorsements, has passed a medical fitness test and has satisfied any other requirements of the New Mexico Commercial Driver's License Act.

B. The division may authorize a person, including an agency of this or another state, an employer, a private driver-training facility or other private institution or a department, agency or instrumentality of local government to administer the skills test specified by this section.

C. A commercial driver's license applicant shall not take a test specified in this section more than three times within one year.

D. If the department determines that a commercial driver's license applicant has committed an offense in taking a test specified in this section, the division shall not issue a commercial driver's license to that applicant within one year of the department's determination."

Chapter 72 Section 2 Laws 2008

Section 2. Section 66-5-68 NMSA 1978 (being Laws 1989, Chapter 14, Section 17, as amended) is amended to read:

"66-5-68. DISQUALIFICATION.--

A. The department shall disqualify a person from driving a commercial motor vehicle for at least thirty days if the federal motor carrier safety administration reports to the division that the person poses an imminent hazard.

B. The department shall disqualify a person who holds a commercial driver's license or who is required to hold a commercial driver's license from driving a commercial motor vehicle for a period of not less than one year, which shall run concurrently with any revocation or suspension action for the same offense, if the person:

(1) refuses to submit to a chemical test when requested pursuant to the provisions of the Implied Consent Act;

(2) is twenty-one years of age or more and submits to chemical testing pursuant to the Implied Consent Act and the test results indicate an alcohol concentration of eight one hundredths or more;

(3) submits to chemical testing pursuant to the Implied Consent Act and the test results indicate an alcohol concentration of four one hundredths or more if the person is driving a commercial motor vehicle;

(4) is less than twenty-one years of age and submits to chemical testing pursuant to the Implied Consent Act and the test results indicate an alcohol concentration of two one hundredths or more; or

(5) is convicted of a violation of:

(a) driving a motor vehicle while under the influence of intoxicating liquor or drugs in violation of Section 66-8-102 NMSA 1978, an ordinance of a municipality of this state or the law of another state;

(b) leaving the scene of an accident involving a commercial motor vehicle driven by the person in violation of Section 66-7-201 NMSA 1978 or an ordinance of a municipality of this state or the law of another state;

(c) using a motor vehicle in the commission of a felony;

(d) driving a commercial motor vehicle after the driver's commercial driver's license is revoked, suspended, disqualified or canceled for violations while operating a commercial motor vehicle; or

(e) causing a fatality in the unlawful operation of a motor vehicle pursuant to Section 66-8-101 NMSA 1978.

C. The department shall disqualify a person from driving a commercial motor vehicle for a period of not less than three years if any of the violations specified in Subsection B of this section occur while transporting a hazardous material required to be placarded.

D. The department shall disqualify a person from driving a commercial motor vehicle for life if convicted of two or more violations of any of the offenses specified in Subsection B of this section, or any combination of those offenses, arising from two or more separate incidents, but the secretary may issue regulations establishing guidelines, including conditions, under which a disqualification for life under this subsection may be reduced to a period of not less than ten years. This subsection applies only to those offenses committed after July 1, 1989.

E. The department shall disqualify a person from driving a commercial motor vehicle for life if the person uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution or dispensing of a controlled substance or the possession with intent to manufacture, distribute or dispense a controlled substance.

F. The department shall disqualify a person from driving a commercial motor vehicle for a period of not less than sixty days if convicted of two serious traffic violations or one hundred twenty days if convicted of three serious traffic violations, if the violations were committed while driving a commercial motor vehicle, arising from separate incidents occurring within a three-year period.

G. The department shall disqualify a person from driving a commercial motor vehicle for a period of:

(1) not less than one hundred eighty days nor more than two years if the person is convicted of a first violation of an out-of-service order while transporting hazardous materials required to be placarded pursuant to the federal Hazardous Materials Transportation Act or while operating a motor vehicle designed to transport more than fifteen passengers, including the driver;

(2) not more than one year if the person is convicted of a first violation of an out-of-service order; or

(3) not less than three years nor more than five years if, during any ten-year period, the person is convicted of any subsequent violations of out-of-service orders, in separate incidents, while transporting hazardous materials required to be placarded pursuant to that act or while operating a motor vehicle designed to transport more than fifteen passengers, including the driver.

H. The department shall disqualify a person from driving a commercial motor vehicle for sixty days if:

(1) the person has been convicted of two serious traffic violations in separate incidents within a three-year period; and

(2) the second conviction results in revocation, cancellation or suspension of the person's commercial driver's license or noncommercial motor vehicle driving privileges for sixty days.

I. The department shall disqualify a person from driving a commercial motor vehicle for one hundred twenty days, in addition to any other period of disqualification, if:

(1) the person has been convicted of more than two serious traffic violations within a three-year period; and

(2) the third or a subsequent conviction results in the revocation, cancellation or suspension of the person's commercial driver's license or noncommercial motor vehicle driving privileges.

J. When a person is disqualified from driving a commercial motor vehicle, any commercial driver's license held by that person is invalidated without a separate proceeding of any kind and the driver is not eligible to apply for a commercial driver's license until the period of time for which the driver was disqualified has elapsed.

K. The department shall disqualify a person from driving a commercial motor vehicle for not less than:

(1) sixty days if the person is convicted of a first violation of a railroad-highway grade crossing violation;

(2) one hundred twenty days if, during any three-year period, the person is convicted of a second railroad-highway grade crossing violation in a separate incident; and

(3) one year if, during any three-year period, the person is convicted of a third or subsequent railroad-highway grade crossing violation in a separate incident.

L. After disqualifying, suspending, revoking or canceling a commercial driver's license, the department shall, within ten days, update its records to reflect that action. After disqualifying, suspending, revoking or canceling a nonresident commercial driver's privileges, the department shall, within ten days, notify the licensing authority of the state that issued the commercial driver's license.

M. When disqualifying, suspending, revoking or canceling a commercial driver's license, the department shall treat a conviction received in another state in the same manner as if it was received in this state.

N. The department shall post and enforce any disqualification sent by the federal motor carrier safety administration to the department that indicates that a commercial motor vehicle driver poses an imminent hazard.

O. The federal transportation security administration of the department of homeland security shall provide for an appeal of a disqualification for a commercial driver's license hazardous materials endorsement on the basis of a background check, and the department shall provide to a hazardous materials applicant a copy of the procedures established by the transportation security administration, on request, at the time of application.

P. New Mexico shall conform to the federal transportation security administration of the department of homeland security rules and shall "look back" or review a maximum of seven years for a background check."

Chapter 72 Section 3 Laws 2008

Section 3. Section 66-8-102 NMSA 1978 (being Laws 1953, Chapter 139, Section 54, as amended by Laws 2007, Chapter 321, Section 10 and by Laws 2007, Chapter 322, Section 1) is amended to read:

"66-8-102. PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS--AGGRAVATED DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS--PENALTY.--

A. It is unlawful for a person who is under the influence of intoxicating liquor to drive a vehicle within this state.

B. It is unlawful for a person who is under the influence of any drug to a degree that renders the person incapable of safely driving a vehicle to drive a vehicle within this state.

C. It is unlawful for:

(1) a person to drive a vehicle in this state if the person has an alcohol concentration of eight one hundredths or more in the person's blood or breath within three hours of driving the vehicle and the alcohol concentration results from alcohol consumed before or while driving the vehicle; or

(2) a person to drive a commercial motor vehicle in this state if the person has an alcohol concentration of four one hundredths or more in the person's blood or breath within three hours of driving the commercial motor vehicle and the alcohol concentration results from alcohol consumed before or while driving the vehicle.

D. Aggravated driving while under the influence of intoxicating liquor or drugs consists of a person who:

(1) drives a vehicle in this state and has an alcohol concentration of sixteen one hundredths or more in the person's blood or breath within three hours of driving the vehicle and the alcohol concentration results from alcohol consumed before or while driving the vehicle;

(2) has caused bodily injury to a human being as a result of the unlawful operation of a motor vehicle while driving under the influence of intoxicating liquor or drugs; or

(3) refused to submit to chemical testing, as provided for in the Implied Consent Act, and in the judgment of the court, based upon evidence of intoxication presented to the court, was under the influence of intoxicating liquor or drugs.

E. A person under first conviction pursuant to this section shall be punished, notwithstanding the provisions of Section 31-18-13 NMSA 1978, by imprisonment for not more than ninety days or by a fine of not more than five hundred dollars (\$500), or both; provided that if the sentence is suspended in whole or in part or deferred, the period of probation may extend beyond ninety days but shall not exceed one year. Upon a first conviction pursuant to this section, an offender shall be sentenced to not less than twenty-four hours of community service. In addition, the offender may be required to pay a fine of three hundred dollars (\$300). The offender shall be ordered by the court to participate in and complete a screening program described in Subsection K of this section and to attend a driver rehabilitation program for alcohol or drugs, also known as a "DWI school", approved by the bureau and also may be required to participate in other rehabilitative services as the court shall determine to be necessary. In addition to those penalties, when an offender commits aggravated driving while under the influence of intoxicating liquor or drugs, the offender shall be sentenced to not less than forty-eight consecutive hours in jail. If an offender fails to complete, within a time specified by the court, any community service, screening program, treatment program or DWI school ordered by the court or fails to comply with any other condition of probation, the offender shall be sentenced to not less than an additional forty-eight consecutive hours in jail. Any jail sentence imposed pursuant to this subsection for failure to complete, within a time specified by the court, any community service, screening program, treatment program or DWI school ordered by the court or for aggravated driving while under the influence of intoxicating liquor or drugs shall not be suspended, deferred or taken under advisement. On a first conviction pursuant to this section, any time spent in jail for the offense prior to the conviction for that offense shall be credited to any term of imprisonment fixed by the court. A deferred sentence pursuant to this subsection shall be considered a first conviction for the purpose of determining subsequent convictions.

F. A second or third conviction pursuant to this section shall be punished, notwithstanding the provisions of Section 31-18-13 NMSA 1978, by imprisonment for not more than three hundred sixty-four days or by a fine of not more than one thousand dollars (\$1,000), or both; provided that if the sentence is suspended in whole or in part,

the period of probation may extend beyond one year but shall not exceed five years. Notwithstanding any provision of law to the contrary for suspension or deferment of execution of a sentence:

(1) upon a second conviction, an offender shall be sentenced to a jail term of not less than ninety-six consecutive hours, not less than forty-eight hours of community service and a fine of five hundred dollars (\$500). In addition to those penalties, when an offender commits aggravated driving while under the influence of intoxicating liquor or drugs, the offender shall be sentenced to a jail term of not less than ninety-six consecutive hours. If an offender fails to complete, within a time specified by the court, any community service, screening program or treatment program ordered by the court, the offender shall be sentenced to not less than an additional seven consecutive days in jail. A penalty imposed pursuant to this paragraph shall not be suspended or deferred or taken under advisement; and

(2) upon a third conviction, an offender shall be sentenced to a jail term of not less than thirty consecutive days, not less than ninety-six hours of community service and a fine of seven hundred fifty dollars (\$750). In addition to those penalties, when an offender commits aggravated driving while under the influence of intoxicating liquor or drugs, the offender shall be sentenced to a jail term of not less than sixty consecutive days. If an offender fails to complete, within a time specified by the court, any community service, screening program or treatment program ordered by the court, the offender shall be sentenced to not less than an additional sixty consecutive days in jail. A penalty imposed pursuant to this paragraph shall not be suspended or deferred or taken under advisement.

G. Upon a fourth conviction pursuant to this section, an offender is guilty of a fourth degree felony and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a term of imprisonment of eighteen months, six months of which shall not be suspended, deferred or taken under advisement.

H. Upon a fifth conviction pursuant to this section, an offender is guilty of a fourth degree felony and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a term of imprisonment of two years, one year of which shall not be suspended, deferred or taken under advisement.

I. Upon a sixth conviction pursuant to this section, an offender is guilty of a third degree felony and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a term of imprisonment of thirty months, eighteen months of which shall not be suspended, deferred or taken under advisement.

J. Upon a seventh or subsequent conviction pursuant to this section, an offender is guilty of a third degree felony and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a term of imprisonment of three years, two years of which shall not be suspended, deferred or taken under advisement.

K. Upon any conviction pursuant to this section, an offender shall be required to participate in and complete, within a time specified by the court, an alcohol or drug abuse screening program approved by the department of finance and administration and, if necessary, a treatment program approved by the court. The requirement imposed pursuant to this subsection shall not be suspended, deferred or taken under advisement.

L. Upon a second or third conviction pursuant to this section, an offender shall be required to participate in and complete, within a time specified by the court:

(1) not less than a twenty-eight-day inpatient, residential or in-custody substance abuse treatment program approved by the court;

(2) not less than a ninety-day outpatient treatment program approved by the court;

(3) a drug court program approved by the court; or

(4) any other substance abuse treatment program approved by the court.

The requirement imposed pursuant to this subsection shall not be suspended, deferred or taken under advisement.

M. Upon a felony conviction pursuant to this section, the corrections department shall provide substance abuse counseling and treatment to the offender in its custody. While the offender is on probation or parole under its supervision, the corrections department shall also provide substance abuse counseling and treatment to the offender or shall require the offender to obtain substance abuse counseling and treatment.

N. Upon a conviction pursuant to this section, an offender shall be required to obtain an ignition interlock license and have an ignition interlock device installed and operating on all motor vehicles driven by the offender, pursuant to rules adopted by the bureau. Unless determined by the sentencing court to be indigent, the offender shall pay all costs associated with having an ignition interlock device installed on the appropriate motor vehicles. The offender shall operate only those vehicles equipped with ignition interlock devices for:

(1) a period of one year, for a first offender;

(2) a period of two years, for a second conviction pursuant to this section;

(3) a period of three years, for a third conviction pursuant to this section; or

(4) the remainder of the offender's life, for a fourth or subsequent conviction pursuant to this section.

O. Five years from the date of conviction and every five years thereafter, a fourth or subsequent offender may apply to a district court for removal of the ignition interlock device requirement provided in this section and for restoration of a driver's license. A district court may, for good cause shown, remove the ignition interlock device requirement and order restoration of the license; provided that the offender has not been subsequently convicted of driving a motor vehicle while under the influence of intoxicating liquor or drugs. Good cause may include an alcohol screening and proof from the interlock vendor that the person has not had violations of the interlock device.

P. In the case of a first, second or third offense under this section, the magistrate court has concurrent jurisdiction with district courts to try the offender.

Q. A conviction pursuant to a municipal or county ordinance in New Mexico or a law of any other jurisdiction, territory or possession of the United States or of a tribe, when that ordinance or law is equivalent to New Mexico law for driving while under the influence of intoxicating liquor or drugs, and prescribes penalties for driving while under the influence of intoxicating liquor or drugs, shall be deemed to be a conviction pursuant to this section for purposes of determining whether a conviction is a second or subsequent conviction.

R. In addition to any other fine or fee that may be imposed pursuant to the conviction or other disposition of the offense under this section, the court may order the offender to pay the costs of any court-ordered screening and treatment programs.

S. With respect to this section and notwithstanding any provision of law to the contrary, if an offender's sentence was suspended or deferred in whole or in part and the offender violates any condition of probation, the court may impose any sentence that the court could have originally imposed and credit shall not be given for time served by the offender on probation.

T. As used in this section:

(1) "bodily injury" means an injury to a person that is not likely to cause death or great bodily harm to the person, but does cause painful temporary disfigurement or temporary loss or impairment of the functions of any member or organ of the person's body; and

(2) "commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(a) has a gross combination weight rating of more than twenty-six thousand pounds inclusive of a towed unit with a gross vehicle weight rating of more than ten thousand pounds;

(b) has a gross vehicle weight rating of more than twenty-six thousand pounds;

(c) is designed to transport sixteen or more passengers, including the driver; or

(d) is of any size and is used in the transportation of hazardous materials, which requires the motor vehicle to be placarded under applicable law."

House Bill 215, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 73

AN ACT

RELATING TO HEALTH; CREATING A BIRTHING WORKFORCE RETENTION FUND FOR ASSISTANCE WITH MALPRACTICE PREMIUMS FOR CERTIFIED NURSE-MIDWIVES AND PHYSICIANS WHO PROVIDE BIRTHING SERVICES TO LOW-INCOME NEW MEXICANS; MAKING AN APPROPRIATION.

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

Chapter 73 Section 1 Laws 2008

Section 1. BIRTHING WORKFORCE RETENTION FUND CREATED.--

A. The "birthing workforce retention fund" is created in the state treasury. The purpose of the fund is to provide malpractice insurance premium assistance for certified nurse-midwives or physicians whose insurance premium costs jeopardize their ability to continue their obstetrics practices in New Mexico. The fund shall consist of appropriations, gifts, grants and donations to the fund. The fund shall be administered by the department of health, and money in the fund is appropriated to the department of health for the purpose of making awards pursuant to the provisions of this section.

B. The department of health shall develop procedures and rules for the application for and award of money from the birthing workforce retention fund, including criteria upon which to evaluate the need of the applicant and the merits of the application. The rules

shall require that the applicant be a certified nurse-midwife licensed in New Mexico or a physician licensed in New Mexico and that the applicant demonstrate need by showing that medicaid patients or indigent patients constitute at least one-half of the obstetric practice of the applicant and that malpractice insurance premiums have increased every year for two years. The certified nurse-midwife or physician shall have a malpractice liability insurance policy in force. Subject to availability of funds, an award shall not be less than five thousand dollars (\$5,000) and not more than ten thousand dollars (\$10,000) and shall be disbursed based on the percentage of medicaid patients or indigent patients seen in the practice. Priority for the awarding of money from the birthing workforce retention fund shall be in the following order:

(1) to certified nurse-midwives; and

(2) to family practice physicians and obstetricians.

C. The department of health shall annually report to the legislative finance committee on the status of the birthing workforce retention fund.

D. Disbursements from the birthing workforce retention fund shall be made by warrant of the department of finance and administration pursuant to vouchers signed by the secretary of health or the secretary's authorized representative. Any unexpended or unencumbered balance remaining in the fund at the end of a fiscal year shall not revert but shall remain to the credit of the fund.

House Bill 167, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 74

AN ACT

RELATING TO THE PRACTICE OF MEDICINE; PROVIDING FOR SUMMARY
SUSPENSION OR RESTRICTION OF LICENSES; AMENDING REVIEW
ORGANIZATION REPORTING REQUIREMENTS; PROVIDING FOR ADDITIONAL
ADMINISTRATIVE FEES.

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

Chapter 74 Section 1 Laws 2008

Section 1. A new section of the Medical Practice Act, Section 61-6-15.1 NMSA 1978, is enacted to read:

"61-6-15.1. SUMMARY SUSPENSION OR RESTRICTION OF LICENSE.--

A. The board may summarily suspend or restrict a license issued by the board without a hearing, simultaneously with or at any time after the initiation of proceedings for a hearing provided under the Uniform Licensing Act, if the board finds that evidence in its possession indicates that the licensee:

(1) poses a clear and immediate danger to the public health and safety if the licensee continues to practice;

(2) has been adjudged mentally incompetent by a final order or adjudication by a court of competent jurisdiction; or

(3) has pled guilty to or been found guilty of any offense related to the practice of medicine or for any violent criminal offense in this state or a substantially equivalent criminal offense in another jurisdiction.

B. A licensee is not required to comply with a summary action until service has been made or the licensee has actual knowledge of the order, whichever occurs first.

C. A person whose license is suspended or restricted under this section is entitled to a hearing by the board pursuant to the Uniform Licensing Act within fifteen days from the date the licensee requests a hearing."

Chapter 74 Section 2 Laws 2008

Section 2. Section 61-6-16 NMSA 1978 (being Laws 1989, Chapter 269, Section 12, as amended) is amended to read:

**"61-6-16. REPORTING OF SETTLEMENTS AND JUDGMENTS,
PROFESSIONAL REVIEW ACTIONS AND ACCEPTANCE OF SURRENDERED
LICENSE--IMMUNITY FROM CIVIL DAMAGES--PENALTY.--**

A. All entities that make payments under a policy of insurance, self-insurance or otherwise in settlement or satisfaction of a judgment in a medical malpractice action or claim, hospitals, health care entities and professional review bodies shall report to the board all payments relating to malpractice actions or claims arising in New Mexico that involve a licensee and that are paid as a direct result of the licensee's care, all appropriate professional review actions of licensees and the acceptance or surrender of clinical privileges by a licensee while under investigation or in lieu of an investigation. For the purposes of this section, the meaning of these terms shall be as contained in Section 431 of the federal Health Care Quality Improvement Act of 1986, 42 USCA Section 11151.

B. The hospitals required to report under this section, health care entities or professional review bodies that provide such information in good faith shall not be subject to suit for civil damages as a result of providing the information.

C. A hospital, health care entity or professional review body failing to comply with the reporting requirements provided in this section shall be subject to civil penalty not to exceed ten thousand dollars (\$10,000)."

Chapter 74 Section 3 Laws 2008

Section 3. Section 61-6-19 NMSA 1978 (being Laws 1989, Chapter 269, Section 15, as amended) is amended to read:

"61-6-19. FEES.--

A. The board shall impose the following fees:

(1) an application fee not to exceed four hundred dollars (\$400) for licensure by endorsement as provided in Section 61-6-13 NMSA 1978;

(2) an application fee not to exceed four hundred dollars (\$400) for licensure by examination as provided in Section 61-6-11 NMSA 1978;

(3) a triennial renewal fee not to exceed four hundred fifty dollars (\$450);

(4) a fee of twenty-five dollars (\$25.00) for placing a physician's license or a physician assistant's license on inactive status;

(5) a late fee not to exceed one hundred dollars (\$100) for physicians who renew their license within forty-five days after the required renewal date;

(6) a late fee not to exceed two hundred dollars (\$200) for physicians who renew their licenses between forty-six and ninety days after the required renewal date;

(7) a reinstatement fee not to exceed six hundred dollars (\$600) for reinstatement of a revoked, suspended or inactive license;

(8) a reasonable administrative fee for verification and duplication of license or registration and copying of records;

(9) a reasonable publication fee for the purchase of a publication containing the names of all practitioners licensed under the Medical Practice Act;

(10) an impaired physician fee not to exceed one hundred fifty dollars (\$150) for a three-year period;

(11) an interim license fee not to exceed one hundred dollars (\$100);

(12) a temporary license fee not to exceed one hundred dollars (\$100);

(13) a postgraduate training license fee not to exceed fifty dollars (\$50.00) annually;

(14) an application fee not to exceed one hundred fifty dollars (\$150) for physician assistants applying for initial licensure;

(15) a licensure fee not to exceed one hundred fifty dollars (\$150) for physician assistants biennial licensing and registration of supervising licensed physician;

(16) a late fee not to exceed fifty dollars (\$50.00) for physician assistants who renew their licensure within forty-five days after the required renewal date;

(17) a late fee not to exceed seventy-five dollars (\$75.00) for physician assistants who renew their licensure between forty-six and ninety days after the required renewal date;

(18) a reinstatement fee not to exceed one hundred dollars (\$100) for physician assistants who reinstate an expired license;

(19) a processing fee not to exceed fifty dollars (\$50.00) for each change of a supervising licensed physician for a physician assistant;

(20) a fee not to exceed three hundred dollars (\$300) annually for a physician supervising a clinical pharmacist;

(21) an application and renewal fee for a telemedicine license not to exceed four hundred dollars (\$400);

(22) a reasonable administrative fee, not to exceed the current cost of application for a license, that may be charged for reprocessing applications and renewals that include minor but significant errors and that would otherwise be subject to investigation and possible disciplinary action; and

(23) a reasonable fee as established by the department of public safety for nationwide and statewide criminal history screening of applicants and licensees.

B. All fees are nonrefundable and shall be used by the board to carry out its duties efficiently."

Chapter 74 Section 4 Laws 2008

Section 4. Section 61-6-24 NMSA 1978 (being Laws 1989, Chapter 269, Section 20) is amended to read:

"61-6-24. LIMITATIONS ON ACTIONS.--

A. No action that would have any of the effects specified in Sections 61-6-15 and 61-6-15.1 NMSA 1978 may be initiated by the board later than two years after it is brought to the board's attention.

B. The time limitation contained in Subsection A of this section shall be tolled by any civil or criminal litigation in which the licensee or applicant is a party arising substantially from the same facts, conduct, transaction or transactions that would be the basis of the board's decision."

House Bill 177, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 75

AN ACT

RELATING TO CHILDREN'S MENTAL HEALTH; AMENDING AND ENACTING SECTIONS OF THE CHILDREN'S MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ACT.

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

Chapter 75 Section 1 Laws 2008

Section 1. Section 32A-6A-4 NMSA 1978 (being Laws 2007, Chapter 162, Section 4) is amended to read:

"32A-6A-4. DEFINITIONS.--As used in the Children's Mental Health and Developmental Disabilities Act:

A. "aversive intervention" means any device or intervention, consequences or procedure intended to cause pain or unpleasant sensations, including interventions causing physical pain, tissue damage, physical illness or injury; electric shock; isolation; forced exercise; withholding of food, water or sleep; humiliation; water mist; noxious taste, smell or skin agents; and over-correction;

B. "behavioral health services" means a comprehensive array of professional and ancillary services for the treatment, habilitation, prevention and identification of mental illnesses, behavioral symptoms associated with developmental disabilities, substance abuse disorders and trauma spectrum disorders;

C. "capacity" means a child's ability to:

(1) understand and appreciate the nature and consequences of proposed health care, including its significant benefits, risks and alternatives to proposed health care; and

(2) make and communicate an informed health care decision;

D. "chemical restraint" means a medication that is not standard treatment for the patient's medical or psychiatric condition that is used to control behavior or to restrict a patient's freedom of movement;

E. "child" means a person who is a minor;

F. "clinician" means a person whose licensure allows the person to make independent clinical decisions, including a physician, licensed psychologist, psychiatric nurse practitioner, licensed independent social worker, licensed marriage and family therapist and licensed professional clinical counselor;

G. "continuum of services" means a comprehensive array of emergency, outpatient, intermediate and inpatient services and care, including screening, early identification, diagnostic evaluation, medical, psychiatric, psychological and social service care, habilitation, education, training, vocational rehabilitation and career counseling;

H. "developmental disability" means a severe chronic disability that:

(1) is attributable to a mental or physical impairment or a combination of mental or physical impairments;

(2) is manifested before a person reaches twenty-two years of age;

(3) is expected to continue indefinitely;

(4) results in substantial functional limitations in three or more of the following areas of major life activities:

(a) self-care;

(b) receptive and expressive language;

(c) learning;

(d) mobility;

(e) self-direction;

(f) capacity for independent living; or

(g) economic self-sufficiency; and

(5) reflects a person's need for a combination and sequence of special, interdisciplinary or other supports and services that are of lifelong or extended duration that are individually planned or coordinated;

I. "evaluation facility" means a community mental health or developmental disability program, a medical facility having psychiatric or developmental disability services available or, if none of the foregoing is reasonably available or appropriate, the office of a licensed physician or a licensed psychologist, any of which shall be capable of performing a mental status examination adequate to determine the need for appropriate treatment, including possible involuntary treatment;

J. "family" means persons with a kinship relationship to a child, including the relationship that exists between a child and a biological or adoptive parent, relative of the child, a step-parent, a godparent, a member of the child's tribe or clan or an adult with whom the child has a significant bond;

K. "habilitation" means services, including behavioral health services based on evaluation of the child, that are aimed at assisting the child to prevent, correct or ameliorate a developmental disability. The purpose of habilitation is to enable the child to attain, maintain or regain maximum functioning or independence. "Habilitation" includes programs of formal, structured education and treatment and rehabilitation services;

L. "individual instruction" means a child's direction concerning a mental health treatment decision for the child, made while the child has capacity and is fourteen years of age or older, which is to be implemented when the child has been determined to lack capacity;

M. "least restrictive means principle" means the conditions of habilitation or treatment for the child, separately and in combination that:

(1) are no more harsh, hazardous or intrusive than necessary to achieve acceptable treatment objectives for the child;

(2) involve no restrictions on physical movement and no requirement for residential care, except as reasonably necessary for the administration of treatment or for the protection of the child or others from physical injury; and

(3) are conducted at the suitable available facility closest to the child's place of residence;

N. "legal custodian" means a biological or adoptive parent of a child unless legal custody has been vested in a person, department or agency and also includes a person appointed by an unexpired power of attorney;

O. "licensed psychologist" means a person who holds a current license as a psychologist issued by the New Mexico state board of psychologist examiners;

P. "likelihood of serious harm to self" means that it is more likely than not that in the near future a child will attempt to commit suicide or will cause serious bodily harm to the child by violent or other self-destructive means, as evidenced by behavior causing, attempting or threatening such harm, which behavior gives rise to a reasonable fear of such harm from the child;

Q. "likelihood of serious harm to others" means that it is more likely than not that in the near future the child will inflict serious bodily harm on another person or commit a criminal sexual offense, as evidenced by behavior causing, attempting or threatening such harm, which behavior gives rise to a reasonable fear of such harm from the child;

R. "mechanical restraint" means any device or material attached or adjacent to the child's body that restricts freedom of movement or normal access to any portion of the child's body and that the child cannot easily remove but does not include mechanical supports or protective devices;

S. "mechanical support" means a device used to achieve proper body position, designed by a physical therapist and approved by a physician or designed by an occupational therapist, such as braces, standers or gait belts, but not including protective devices;

T. "medically necessary services" means clinical and rehabilitative physical, mental or behavioral health services that are:

(1) essential to prevent, diagnose or treat medical conditions or are essential to enable the child to attain, maintain or regain functional capacity;

(2) delivered in the amount, duration, scope and setting that is clinically appropriate to the specific physical, mental and behavioral health care needs of the child;

(3) provided within professionally accepted standards of practice and national guidelines; and

(4) required to meet the physical, mental and behavioral health needs of the child and are not primarily for the convenience of the child, provider or payer;

U. "mental disorder" means a substantial disorder of the child's emotional processes, thought or cognition, not including a developmental disability, that impairs the child's:

(1) functional ability to act in developmentally and age-appropriate ways in any life domain;

(2) judgment;

(3) behavior; and

(4) capacity to recognize reality;

V. "mental health or developmental disabilities professional" means a person who by training or experience is qualified to work with persons with mental disorders or developmental disabilities;

W. "out-of-home treatment or habilitation program" means an out-of-home residential program that provides twenty-four-hour care and supervision to children with the primary purpose of providing treatment or habilitation to children. "Out-of-home treatment or habilitation program" includes, but is not limited to, treatment foster care, group homes, psychiatric hospitals, psychiatric residential treatment facilities and non-medical and community-based residential treatment centers;

X. "parent" means a biological or adoptive parent of a child whose parental rights have not been terminated;

Y. "physical restraint" means the use of physical force without the use of any device or material that restricts the free movement of all or a portion of a child's body;

Z. "protective devices" means helmets, safety goggles or glasses, guards, mitts, gloves, pads and other common safety devices that are normally used or recommended for use by persons without disabilities while engaged in a sport or occupation or during transportation;

AA. "residential treatment or habilitation program" means diagnosis, evaluation, care, treatment or habilitation rendered inside or on the premises of a mental health or developmental disabilities facility, hospital, clinic, institution, supervisory residence or nursing home when the child resides on the premises and where one or more of the following measures is available for use:

- (1) a mechanical device to restrain or restrict the child's movement;
- (2) a secure seclusion area from which the child is unable to exit voluntarily;
- (3) a facility or program designed for the purpose of restricting the child's ability to exit voluntarily; and
- (4) the involuntary emergency administration of psychotropic medication;

BB. "restraint" means the use of a physical, chemical or mechanical restraint;

CC. "seclusion" means the confinement of a child alone in a room from which the child is physically prevented from leaving;

DD. "treatment" means provision of behavioral health services based on evaluation of the child, aimed at assisting the child to prevent, correct or ameliorate a mental disorder. The purpose of treatment is to enable the child to attain, maintain or regain maximum functioning;

EE. "treatment team" means a team consisting of the child, the child's parents unless parental rights have specifically been limited pursuant to an order of a court, legal custodian, guardian ad litem, treatment guardian, clinician and any other professionals involved in treatment of the child, other members of the child's family, if requested by the child, and the child's attorney if requested by the child, unless in the professional judgment of the treating clinician for reasons of safety or therapy one or more members should be excluded from participation in the treatment team; and

FF. "treatment plan" means an individualized plan developed by a treatment team based on assessed strengths and needs of the child and family."

Chapter 75 Section 2 Laws 2008

Section 2. Section 32A-6A-9 NMSA 1978 (being Laws 2007, Chapter 162, Section 9) is amended to read:

"32A-6A-9. RESTRAINT, GENERALLY.--

A. Nothing in this section shall be interpreted to diminish the rights and protections accorded to children in hospitals or psychiatric residential treatment or habilitation facilities as provided by federal law and regulation.

B. Restraint and seclusion as provided for in this section is not considered treatment. It is an emergency intervention to be used only until the emergency ceases.

C. Nothing in this section shall prohibit the use of:

(1) mechanical supports or protective devices;

(2) a medical restraint prescribed by a physician or dentist as a health-related protective measure during the conduct of a specific medical, surgical or dental procedure; and

(3) holding a child for a very short period of time without undue force to calm or comfort the child or holding a child's hand to escort the child safely from one area to another."

Chapter 75 Section 3 Laws 2008

Section 3. Section 32A-6A-10 NMSA 1978 (being Laws 2007, Chapter 162, Section 10) is amended to read:

"32A-6A-10. PHYSICAL RESTRAINT AND SECLUSION.--

A. When providing any treatment or habilitation, physical restraint and seclusion shall not be used unless an emergency situation arises in which it is necessary to protect a child or another from imminent, serious physical harm or unless another less intrusive, nonphysical intervention has failed or been determined ineffective.

B. A treatment and habilitation program shall provide a child and the child's legal custodian with a copy of the policies and procedures governing the use of restraint and seclusion.

C. When a child is in a restraint or in seclusion, the mental health or developmental disabilities professional shall document:

(1) any less intrusive interventions that were attempted or determined to be inappropriate prior to the incident;

(2) the precipitating event immediately preceding the behavior that prompted the use of restraint or seclusion;

(3) the behavior that prompted the use of a restraint or seclusion;

(4) the names of the mental health or developmental disabilities professional who observed the behavior that prompted the use of restraint or seclusion;

(5) the names of the staff members implementing and monitoring the use of restraint or seclusion; and

(6) a description of the restraint or seclusion incident, including the type and length of the use of restraint or seclusion, the child's behavior during and reaction to the restraint or seclusion and the name of the supervisor informed of the use of restraint or seclusion.

D. The documentation shall be maintained in the child's medical, mental health or educational record and available for inspection by the child's legal custodian.

E. The child's legal custodian shall be notified immediately after each time restraint or seclusion is used. If the legal custodian is not reasonably available, the mental health or developmental disability professional shall document all attempts to notify the legal custodian and shall send written notification within one business day.

F. After an incident of restraint or seclusion, the mental health or developmental disabilities professional involved in the incident shall conduct a debriefing with the child in which the precipitating event, unsafe behavior and preventive measures are reviewed with the intent of reducing or eliminating the need for future restraint or seclusion. The debriefing shall be documented in the child's record and incorporated into the next treatment plan review.

G. As promptly as possible, but under no circumstances later than five calendar days after a child has been subject to restraint or seclusion, the treatment team shall meet to review the incident and revise the treatment plan as appropriate. The treatment team shall identify any known triggers to the behavior that necessitated the use of restraint or seclusion and recommend preventive measures that may be used to calm the child and eliminate the need for restraint or seclusion. In a subsequent review of the treatment plan, the treatment team shall review the success or failure of preventive measures and revise the plan, if necessary, based on such review.

H. Physical restraint shall be applied only by a mental health or developmental disabilities professional trained in the appropriate use of physical restraint.

I. In applying physical restraint, a mental health or developmental disabilities professional shall use only reasonable force as is necessary to protect the child or other person from imminent and serious physical harm.

J. Seclusion shall be applied only by mental health or developmental disabilities professionals who are trained in the appropriate use of seclusion.

K. At a minimum, a room used for seclusion shall:

(1) be free of objects and fixtures with which a child could self-inflict bodily harm;

(2) provide the mental health or developmental disabilities professional an adequate and continuous view of the child from an adjacent area; and

(3) provide adequate lighting and ventilation.

L. During the seclusion of a child, the mental health or developmental disabilities professional shall:

(1) view the child placed in seclusion at all times; and

(2) provide the child placed in seclusion with:

(a) an explanation of the behavior that resulted in the seclusion; and

(b) instructions on the behavior required to return to the environment.

M. At a minimum, a mental health or developmental disabilities professional shall reassess a child in restraint or seclusion every thirty minutes.

N. The use of a mechanical restraint is prohibited in a mental health and developmental disability treatment setting unless the treatment setting is a hospital that is licensed and certified by and meets the requirements of the joint commission for the accreditation of health care organizations or a facility created pursuant to the Adolescent Treatment Hospital Act.

O. This section does not prohibit a mental health or developmental disabilities professional from using a mechanical support or protective device:

(1) as prescribed by a health professional; or

(2) for a child with a disability, in accordance with a written treatment plan, including but not limited to a school individualized education plan or behavior intervention plan."

Chapter 75 Section 4 Laws 2008

Section 4. Section 32A-6A-13 NMSA 1978 (being Laws 2007, Chapter 162, Section 13) is amended to read:

"32A-6A-13. LEGAL REPRESENTATION OF CHILDREN.--

A. A child shall be represented by an attorney at all commitment or treatment guardianship proceedings under the Children's Mental Health and Developmental Disabilities Act if the child is fourteen years of age or older or by a guardian ad litem if the child is under fourteen years of age.

B. When a child has not retained an attorney or a guardian ad litem in a commitment or treatment guardian proceeding and is unable to do so, the court shall appoint an attorney or a guardian ad litem to represent the child in the proceeding. Only an attorney with appropriate experience shall be appointed as an attorney or a guardian ad litem for the child. Whenever reasonable and appropriate, the court shall appoint a guardian ad litem or attorney who is knowledgeable about the child's cultural background.

C. A child of any age shall have access to the state's designated protection and advocacy system pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act and the federal Protection and Advocacy for Individuals with Mental Illness Act and access to an attorney of the child's choice regarding any matter related to the Children's Mental Health and Developmental Disabilities Act.

D. The child is not entitled to appointment of an attorney at public expense, except as set forth in Subsections A and B of this section.

E. A child shall not be represented or counseled by an attorney or guardian ad litem who has a conflict of interest, including but not limited to any conflict of interest resulting from prior representation of the child's parent, guardian, legal custodian or residential treatment or habilitation program."

Chapter 75 Section 5 Laws 2008

Section 5. Section 32A-6A-20 NMSA 1978 (being Laws 2007, Chapter 162, Section 20) is amended to read:

"32A-6A-20. CONSENT TO PLACEMENT IN A RESIDENTIAL TREATMENT OR HABILITATION PROGRAM--CHILDREN YOUNGER THAN FOURTEEN YEARS OF AGE.--

A. A child younger than fourteen years of age shall not receive residential treatment for a mental disorder or habilitation for a developmental disability, except as provided in this section.

B. A child younger than fourteen years of age may be admitted to a residential treatment or habilitation program for a period not to exceed sixty days with the informed consent of the child's legal custodian, subject to the requirements of this section.

C. In order to admit a child younger than fourteen years of age to a residential treatment or habilitation program, the child's legal custodian shall knowingly and voluntarily execute a consent to admission document prior to the child's admission. The consent to admission document shall be in a form designated by the supreme court. The consent to admission document shall include a clear statement of the legal custodian's right to consent voluntarily to or refuse the child's admission, the legal custodian's right to request the child's immediate discharge from the residential treatment program at any time and the legal custodian's rights when the legal custodian requests the child's discharge and the child's physician, licensed psychologist or the director of the residential treatment or habilitation program determines that the child needs continued treatment. The residential treatment or habilitation program shall ensure that each statement is clearly explained in the child's and legal custodian's primary language, if that is their language of preference, and in a manner appropriate to the child's and legal custodian's developmental abilities. Each statement shall be initialed by the child's legal custodian.

D. The legal custodian's executed consent to admission document shall be filed with the child's treatment records within twenty-four hours of the time of admission.

E. Upon the filing of the legal custodian's consent to admission document in the child's hospital records, the director of the residential treatment or habilitation program or the director's designee shall, on the next business day following the child's admission, notify the district court or the special commissioner appointed pursuant to Section 32A-6A-25 NMSA 1978 regarding the admission and provide the child's name, date of birth and the date and place of admission. The court or special commissioner shall, upon receipt of notice regarding a child's admission to a residential treatment or habilitation program, establish a sequestered court file.

F. The director of a residential treatment or habilitation program or the director's designee shall, on the next business day following the child's admission, petition the court to appoint a guardian ad litem for the child. When the court receives the petition, the court shall appoint a guardian ad litem.

G. Within seven days of a child's admission to a residential treatment or habilitation program, a guardian ad litem, representing the child's best interests and in accordance with the provisions of the Children's Mental Health and Developmental Disabilities Act, shall meet with the child, the child's legal custodian and the child's clinician. The guardian ad litem shall determine the following:

(1) whether the child's legal custodian understands and consents to the child's admission to a residential treatment or habilitation program;

(2) whether the admission is in the child's best interests; and

(3) whether the admission is appropriate for the child and is consistent with the least restrictive means principle.

H. If a guardian ad litem determines that the child's legal custodian understands and consents to the child's admission and that the admission is in the child's best interests, is appropriate for the child and is consistent with the least restrictive means principle, the guardian ad litem shall so certify on a form designated by the supreme court. The form, when completed by the guardian ad litem, shall be filed in the child's patient record kept by the residential treatment or habilitation program, and a copy shall be forwarded to the court or special commissioner within seven days of the child's admission. The guardian ad litem's statement shall not identify the child by name.

I. Upon reaching the age of fourteen, a child who was admitted to a residential treatment or habilitation program pursuant to this section may petition the district court for the records of the district court regarding all matters pertinent to the child's admission to a residential treatment or habilitation program. The district court, upon receipt of the petition and upon a determination that the petitioner is in fact a child who was admitted to a residential treatment or habilitation program, shall provide all court records regarding the admission to the petitioner, including all copies in the court's possession, unless there is a showing that release of records would cause substantial harm to the child. Upon reaching the age of eighteen, a person who was admitted to a residential or treatment or habilitation program as a child may petition the district court for such records, and the district court shall provide all court records regarding the admission to the petitioner, including all copies in the court's possession.

J. A legal custodian who consents to admission of a child to a residential treatment or habilitation program has the right to request the child's immediate discharge from the residential treatment or habilitation program, subject to the provisions of this section. If a child's legal custodian informs the director, a physician or other member of the residential treatment or habilitation program staff that the legal custodian desires the child to be discharged from the program, the director, physician or other staff shall provide for the child's immediate discharge and remit the child to the legal custodian's care. The residential treatment or habilitation program shall also notify the child's guardian ad litem. A child whose legal custodian requests the child's immediate discharge shall be discharged, except when the director of the residential

treatment or habilitation program, a physician or a licensed psychologist determines that the child requires continued treatment and that the child meets the criteria for involuntary residential treatment. In that event, the director, physician or licensed psychologist shall, on the first business day following the child's legal custodian's request for release of the child from the program, request that the children's court attorney initiate involuntary residential treatment proceedings. The children's court attorney may petition the court for such proceedings. The child has a right to a hearing regarding the child's continued treatment within seven days of the request for release.

K. A residential treatment or habilitation program shall review the admission of a child at the end of a sixty- day period after the date of initial admission, and the child's physician or licensed psychologist shall review the admission to determine whether it is in the best interests of the child to continue the admission. If the child's physician or licensed psychologist concludes that continuation of the residential treatment or habilitation program is in the child's best interests, the child's clinician shall so state in a form to be filed in the child's patient records. The residential treatment or habilitation program shall notify the guardian ad litem for the child at least seven days prior to the date that the sixty-day period is to end or, if necessary, request a guardian ad litem pursuant to the provisions of the Children's Mental Health and Developmental Disabilities Act. The guardian ad litem shall then personally meet with the child, the child's legal custodian and the child's clinician and ensure that the child's legal custodian understands and consents to the child's continued admission to the residential treatment or habilitation program. If the guardian ad litem determines that the child's legal custodian understands and consents to the child's continued admission to the residential treatment or habilitation program, that the continued admission is in the child's best interest, that the placement continues to be appropriate for the child and consistent with the least restrictive means principle and that the clinician has recommended the child's continued stay in the program, the guardian ad litem shall so certify on a form designated by the supreme court. The disposition of these forms shall be as set forth in this section, with one copy going in the child's patient record and the other being sent to the district court in a manner that preserves the child's anonymity. This procedure shall take place every sixty days following the child's last admission or a guardian ad litem's certification, whichever occurs first.

L. When a guardian ad litem determines that the child's legal custodian does not understand or consent to the child's admission to a residential treatment or habilitation program, that the admission is not in the child's best interests, that the placement is inappropriate for the child or is inconsistent with the least restrictive means principle or that the child's clinician has not recommended a continued stay by the child in the residential treatment or habilitation program, the child shall be released or involuntary placement procedures shall be initiated.

M. If the child's legal custodian is unavailable to take custody of the child and immediate discharge of the child would endanger the child, the residential treatment or habilitation program may detain the child until a safe and orderly discharge is possible. If the child's legal custodian refuses to take physical custody of the child, the

residential treatment or habilitation program shall refer the case to the department for an abuse and neglect or family in need of court-ordered services investigation. The department may take the child into protective custody pursuant to the provisions of the Abuse and Neglect Act or the Family in Need of Court-Ordered Services Act."

Chapter 75 Section 6 Laws 2008

Section 6. Section 32A-6A-24 NMSA 1978 (being Laws 2007, Chapter 162, Section 24) is amended to read:

"32A-6A-24. DISCLOSURE OF INFORMATION.--

A. Except as otherwise provided in the Children's Mental Health and Developmental Disabilities Act, a person shall not, without the authorization of the child, disclose or transmit any confidential information from which a person well-acquainted with the child might recognize the child as the described person or any code, number or other means that could be used to match the child with confidential information regarding the child.

B. When the child is under fourteen years of age, the child's legal custodian is authorized to consent to disclosure on behalf of the child. Information shall also be disclosed to a court-appointed guardian ad litem without consent of the child or the child's legal custodian.

C. A child fourteen years of age or older with capacity to consent to disclosure of confidential information shall have the right to consent to disclosure of mental health and habilitation records. A legal custodian who is authorized to make health care decisions for a child has the same rights as the child to request, receive, examine, copy and consent to the disclosure of medical or other health care information when evidence exists that such a child whose consent to disclosure of confidential information is sought does not have capacity to give or withhold valid consent and does not have a treatment guardian appointed by a court. If the legal custodian is not authorized to make decisions for a child under the Children's Mental Health and Developmental Disabilities Act, the person seeking authorization shall petition the court for the appointment of a treatment guardian to make a decision for such a child.

D. Authorization from the child or legal custodian for a child less than fourteen years of age shall not be required for the disclosure or transmission of confidential information when the disclosure or transmission:

(1) is necessary for treatment of the child and is made in response to a request from a clinician;

(2) is necessary to protect against a clear and substantial risk of imminent serious physical injury or death inflicted by the child on self or another;

(3) is determined by a clinician not to cause substantial harm to the child and a summary of the child's assessment, treatment plan, progress, discharge plan and other information essential to the child's treatment is made to a child's legal custodian or guardian ad litem;

(4) is to the primary caregiver of the child and the information disclosed was necessary for the continuity of the child's treatment in the judgment of the treating clinician who discloses the information;

(5) is to an insurer contractually obligated to pay part or all of the expenses relating to the treatment of the child at the residential facility. The information disclosed shall be limited to data identifying the child, facility and treating or supervising physician and the dates and duration of the residential treatment. It shall not be a defense to an insurer's obligation to pay that the information relating to the residential treatment of the child, apart from information disclosed pursuant to this section, has not been disclosed to the insurer;

(6) is to a protection and advocacy representative pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act and the federal Protection and Advocacy for Individuals with Mental Illness Act; or

(7) is pursuant to a court order issued for good cause shown after notice to the child and the child's legal custodian and opportunity to be heard is given. Before issuing an order requiring disclosure, the court shall find that:

(a) other ways of obtaining the information are not available or would not be effective; and

(b) the need for the disclosure outweighs the potential injury to the child, the clinician- child relationship and treatment services.

E. A disclosure ordered by the court shall be limited to the information that is essential to carry out the purpose of the disclosure. Disclosure shall be limited to those persons whose need for the information forms the basis for the order. An order by the court shall include such other measures as are necessary to limit disclosure for the protection of the child, including sealing from public scrutiny the record of a proceeding for which disclosure of a child's record has been ordered.

F. An authorization given for the transmission or disclosure of confidential information shall not be effective unless it:

(1) is in writing and signed; and

(2) contains a statement of the child's right to examine and copy the information to be disclosed, the name or title of the proposed recipient of the information and a description of the use that may be made of the information.

G. The child has a right of access to confidential information about the child and has the right to make copies of information about the child and submit clarifying or correcting statements and other documentation of reasonable length for inclusion with the confidential information. The statements and other documentation shall be kept with the relevant confidential information, shall accompany it in the event of disclosure and shall be governed by the provisions of this section to the extent the statements or other documentation contain confidential information. Nothing in this subsection shall prohibit the denial of access to the records when a physician or other mental health or developmental disabilities professional believes and notes in the child's medical records that the disclosure would not be in the best interests of the child. In all cases, the child has the right to petition the court for an order granting access.

H. Information concerning a child disclosed under this section shall not be released to any other person, agency or governmental entity or placed in files or computerized data banks accessible to any persons not otherwise authorized to obtain information under this section. Notwithstanding the confidentiality provisions of the Delinquency Act and the Abuse and Neglect Act, information disclosed under this section shall not be re-released without the express consent of the child or legal custodian authorized under the Children's Mental Health and Developmental Disabilities Act to give consent and any other consent necessary for redisclosure in conformance with state and federal law, including consent that may be required from the professional or the facility that created the document.

I. Nothing in the Children's Mental Health and Developmental Disabilities Act shall limit the confidentiality rights afforded by federal statute or regulation.

J. The department shall promulgate rules for implementing disclosure of records pursuant to this section and in compliance with state and federal law and the Children's Court Rules."

Chapter 75 Section 7 Laws 2008

Section 7. A new section of the Children's Mental Health and Developmental Disabilities Act, Section 32A-6A-30 NMSA 1978, is enacted to read:

"32A-6A-30. RULES.--The department shall promulgate rules for the operation of out-of-home treatment and habilitation programs identified as psychiatric residential treatment facilities or non-medical community-based residential programs in keeping with the purposes of the Children's Mental Health and Developmental Disabilities Act and in conformance with applicable federal law and regulation."

House Bill 364, as amended

Approved February 29, 2008

LAWS 2008, CHAPTER 76

AN ACT

RELATING TO TAXATION; CREATING THE SPORTS AND RECREATION FACILITY FINANCING ACT; PROVIDING A MECHANISM TO GENERATE FUNDS TO DESIGN, CONSTRUCT, EQUIP, FURNISH, LANDSCAPE, OPERATE AND MAINTAIN A SPORTS AND RECREATION FACILITY; DECLARING AN EMERGENCY.

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

Chapter 76 Section 1 Laws 2008

Section 1. SHORT TITLE.--This act may be cited as the "Sports and Recreation Facility Financing Act".

Chapter 76 Section 2 Laws 2008

Section 2. DEFINITIONS.--As used in the Sports and Recreation Facility Financing Act:

A. "local governing body" means the governing body of a qualified municipality authorized pursuant to the provisions of the Sports and Recreation Facility Financing Act to impose sports and recreation facility fees;

B. "lodging facility" means a hotel, motel or motor hotel; a bed and breakfast facility; an inn; or any other facility offering rooms for payment of rent or other consideration;

C. "qualified municipality" means an incorporated municipality with a population of more than one thousand but less than one thousand one hundred that is located in a class B county with a population of greater than fourteen thousand but less than fifteen thousand according to the most recent federal decennial census;

D. "room" means a unit of a lodging facility, such as a hotel room;

E. "sports and recreation facility fee" means the fee imposed by a local governing body pursuant to the Sports and Recreation Facility Financing Act on vendees for the use of lodging facilities;

F. "vendee" means a person who rents or pays consideration to a vendor for use of a room; and

G. "vendor" means a person or the person's agent who furnishes rooms for occupancy for consideration.

Chapter 76 Section 3 Laws 2008

Section 3. AUTHORIZATION--SPORTS AND RECREATION FACILITY FEE IMPOSITION--LOCAL GOVERNING BODY.--A local governing body may impose a sports and recreation facility fee if the local governing body has enacted an ordinance to impose a sports and recreation facility fee and the ordinance has been approved by referendum as required in the Sports and Recreation Facility Financing Act.

Chapter 76 Section 4 Laws 2008

Section 4. IMPOSITION OF SPORTS AND RECREATION FACILITY FEE--USE OF PROCEEDS--REFERENDUM.--

A. A local governing body may impose by ordinance a fee on the use of a room located within a qualified municipality. The fee may be referred to as the "sports and recreation facility fee". The amount of the sports and recreation facility fee shall not exceed two and four-tenths percent of the gross room charge for each day the room is occupied by a vendee. The sports and recreation facility fee shall be imposed for a period of not more than twenty years from the effective date of the ordinance imposing the sports and recreation facility fee.

B. An ordinance imposing the sports and recreation facility fee shall go into effect only after a referendum on the question of imposing the sports and recreation facility fee is held and a majority of the qualified electors voting on the question votes in favor of imposition of the sports and recreation facility fee.

C. The local governing body shall adopt a resolution calling for an election, to be held within seventy-five days of the date the ordinance is adopted, on the question of imposing the sports and recreation facility fee.

D. The question of imposing the sports and recreation facility fee may be submitted to the voters as a separate question at a general election or at a special election called for that purpose by the local governing body. If a special election is called, it shall be called, conducted and canvassed in substantially the same manner as provided by law for municipal elections. If a majority of the voters voting on the question approves the question to impose the sports and recreation facility fee, the ordinance shall become effective in accordance with applicable law. If the question of imposing the sports and recreation facility fee fails, the local governing body shall not again propose the imposition of the sports and recreation facility fee for a period of one year from the date of the election.

E. The question of imposing the sports and recreation facility fee shall include the uses for which the fee will be used.

F. A sports and recreation facility fee imposed pursuant to this section shall be reviewed by the local governing body annually.

G. A local governing body shall not decrease the sports and recreation facility fee while revenue bonds to which the revenue of the sports and recreation facility fee is pledged remain outstanding.

H. A local governing body shall dedicate the revenue from the sports and recreation facility fee at the time that the ordinance imposing the fee is enacted and limit the use of the revenue generated by the fee to the following:

(1) the design, construction, equipping, furnishing, landscaping and other costs associated with the development of a sports and recreation facility located within the qualified municipality;

(2) payments of principal, interest or prior redemption premiums due in connection with and any other charges pertaining to revenue bonds authorized by the Sports and Recreation Facility Financing Act, including payments into a sinking fund or reserve fund required by the revenue bond ordinance;

(3) costs of collecting and otherwise administering the sports and recreation facility fee; provided that the administrative costs shall not be paid if there are current payments due pursuant to Paragraph (2) of this subsection, and provided that no more than ten percent of the revenue collected in a fiscal year shall be used to pay administrative costs;

(4) operation costs of the sports and recreation facility designed, constructed, equipped, furnished, landscaped or otherwise developed with funding generated pursuant to the Sports and Recreation Facility Financing Act; and

(5) payments into a capital reserve fund established for the future payment for capital maintenance and improvements and equipment replacement costs of the sports and recreation facility located within the qualified municipality; provided that no payments shall be made pursuant to this paragraph if there are current payments due pursuant to Paragraph (2) of this subsection.

Chapter 76 Section 5 Laws 2008

Section 5. EXCEPTIONS.--The sports and recreation facility fee shall not apply:

A. if the local governing body by ordinance exempts lodging facilities whose maximum daily room charge is less than an amount stated in the ordinance;

B. to rooms at institutions of the federal government, the state or any political subdivision of the federal government or the state;

C. to rooms at religious, charitable, educational or philanthropic institutions or other nonprofit organizations, including rooms at summer camps operated by such organizations;

D. to clinics, hospitals or other medical facilities;

E. to privately owned and operated convalescent homes or homes for the aged, infirm, indigent or chronically ill; or

F. if the vendor does not offer at least three rooms at the vendor's lodging facility.

Chapter 76 Section 6 Laws 2008

Section 6. COLLECTION OF SPORTS AND RECREATION FACILITY FEE.--

A. A vendor providing rooms in a qualified municipality in which the local governing body has imposed a sports and recreation facility fee shall collect the fee on behalf of the local governing body and shall remit the fees collected to the local governing body on or before the twenty-fifth day of the month following the month in which the fees are collected along with the occupancy tax also collected.

B. The sports and recreation facility fee shall be collected by a vendor from vendees as a room surcharge at the time that rent is collected by the vendor and shall be accounted for separately from the rent fixed by the vendor for the rooms.

Chapter 76 Section 7 Laws 2008

Section 7. AUDIT OF VENDORS.--A local governing body imposing a sports and recreation facility fee shall include verification of the collection of the correct sports and recreation facility fee in any audit of a vendor conducted pursuant to Section 3-38-17.1 NMSA 1978.

Chapter 76 Section 8 Laws 2008

Section 8. FINANCIAL REPORTING.--The chief financial officer of a local governing body assessing a sports and recreation facility fee shall report to the local government division of the department of finance and administration on a quarterly basis any expenditure of sports and recreation facility funds.

Chapter 76 Section 9 Laws 2008

Section 9. ENFORCEMENT.--An action to enforce the Sports and Recreation Facility Financing Act may be brought by:

A. the municipal attorney of the qualified municipality, or a person designated by the qualified municipality, as approved by the local governing body; or

B. a vendor who is collecting the proceeds of a sports and recreation facility fee in the county in which the qualified municipality is located.

Chapter 76 Section 10 Laws 2008

Section 10. COLLECTION OF DELINQUENCIES.--

A. A local governing body shall by ordinance provide that a vendor is liable for the payment of the proceeds of sports and recreation facility fees that the vendor failed to remit to the local governing body. Failure of the vendor to collect the fee is not cause for the local governing body to forgive sports and recreation facility fees due and owed by the vendor. The ordinance shall provide for a civil penalty for each occurrence of failure to remit sports and recreation facility fees in the amount due. The civil penalty shall be an amount equal to the greater of ten percent of the amount that was not duly remitted to the local governing body or one hundred dollars (\$100).

B. The local governing body may bring an action in the district court of the judicial district in which the qualified municipality is located for collection of amounts due, including, without limitation, interest on the amounts due on the unpaid principal at a rate not exceeding one percent per month, the costs of collection and reasonable attorney fees incurred in connection with the court action to collect the delinquent sports and recreation facility fees.

Chapter 76 Section 11 Laws 2008

Section 11. LIEN FOR SPORTS AND RECREATION FACILITY FEE PAYMENT-CERTIFICATE OF LIEN.--

A. The sports and recreation facility fee assessed by a local governing body constitutes a lien in favor of that local governing body upon the personal and real property of the vendor providing lodging facilities in that qualified municipality. The lien may be enforced as provided in Sections 3-36-1 through 3-36-7 NMSA 1978.

B. Under process or order of the court, a person shall not sell the property of a vendor without first ascertaining from the clerk or treasurer of the qualified municipality in which the vendor is located the amount of sports and recreation facility fees due. Sports and recreation facility fees due to the local governing body shall be paid from the proceeds of the sale consistent with the lien priorities set forth in Sections 3-36-1 through 3-36-7 NMSA 1978.

C. The clerk or treasurer of the qualified municipality shall furnish a certificate of lien to a person applying for a certificate showing the amount of all liens in the records of the qualified municipality against any vendor pursuant to the Sports and Recreation Facility Financing Act.

Chapter 76 Section 12 Laws 2008

Section 12. ORDINANCE REQUIREMENTS.--The ordinance imposing a sports and recreation facility fee or any ordinance amending the imposition of a sports and recreation facility fee:

A. shall state:

- (1) the rate of the sports and recreation facility fee to be imposed;
- (2) the time, place and method for the payment of the sports and recreation facility fee proceeds to the local governing body;
- (3) the accounts and other records to be maintained in connection with the sports and recreation facility fee;
- (4) a procedure for making refunds and resolving disputes relating to the sports and recreation facility fee;
- (5) the procedures for preservation, destruction, inspection and investigation of records;
- (6) vendor audit requirements;
- (7) applicable civil penalties;
- (8) a procedure for liens and sales to satisfy those liens;
- (9) that the ordinance is not effective until the imposition of the sports and recreation facility fee has been approved pursuant to a referendum in which a majority of voters voting within the qualified municipality votes in favor of imposition of the sports and recreation facility fee; and
- (10) that the sports and recreation facility fee shall be imposed for a period not exceeding twenty years from the effective date of the ordinance imposing the sports and recreation facility fee; and

B. shall provide other rights, privileges, powers, immunities and details relating to the collection of the sports and recreation facility fee and the remittance of the proceeds of that fee to the local governing body.

Chapter 76 Section 13 Laws 2008

Section 13. REVENUE BONDS.--

A. Revenue bonds may be issued at any time by a qualified municipality that has imposed a sports and recreation facility fee to defray wholly or in part the costs authorized by the Sports and Recreation Facility Financing Act. The revenue bonds may

be payable from, and payment may be secured by, a pledge of and lien on the revenue derived from:

(1) the proceeds of the sports and recreation facility fee of the qualified municipality dedicated to the payment of revenue bonds for a sports and recreation facility in the qualified municipality;

(2) a sports and recreation facility to which the bonds pertain, after provision is made for the payment of the operation and maintenance expenses of the sports and recreation facility;

(3) that portion of the proceeds of the occupancy tax of the qualified municipality available for payment of revenue bonds pursuant to Section 3-38-23 NMSA 1978;

(4) any other legal available revenues of the qualified municipality;

or

(5) a combination of revenues from the sources designated in this subsection.

B. The bonds shall bear interest at a rate or rates as authorized in the Public Securities Act, and the first interest payment may be for any period authorized in the Public Securities Act.

C. Except as otherwise provided in the Sports and Recreation Facility Financing Act, revenue bonds authorized pursuant to that act shall be issued in accordance with the provisions of Sections 3-31-2 through 3-31-6 NMSA 1978.

Chapter 76 Section 14 Laws 2008

Section 14. REFUNDING BONDS.--

A. A qualified municipality having issued revenue bonds may issue refunding bonds payable from pledged revenues authorized for the payment of the revenue bonds at the time of the refunding or at the time of the issuance of the bonds being refunded, as the local governing body may determine, regardless of whether the revenue sources or the pledge of the revenues or both are modified at the time of the refunding.

B. Refunding bonds may be issued for the purpose of refinancing, paying and discharging all or a part of outstanding bonds of one or more outstanding bond issues:

(1) for the acceleration, deceleration or other modification of the payment of the obligations, including capitalization of interest that is in arrears or about

to become due for any period not exceeding one year from the date of the refunding bonds;

(2) for the purpose of reducing interest costs or effecting other economies;

(3) for the purpose of modifying or eliminating restrictive contractual limitations pertaining to the issuance of additional bonds or otherwise concerning the outstanding bonds; or

(4) for any combination of the purposes set forth in this subsection.

C. The interest on a bond refunded shall not be increased to a rate in excess of the rate authorized in the Public Securities Act and shall be paid as authorized in that act.

D. Refunding bonds for any other purpose permitted by the Sports and Recreation Facility Financing Act may be issued separately or issued in combination in one series or more.

E. Except as otherwise provided in the Sports and Recreation Facility Financing Act, refunding bonds authorized in that act shall be issued in accordance with the provisions of Sections 3-31-10 and 3-31-11 NMSA 1978.

Chapter 76 Section 15 Laws 2008

Section 15. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

HJC/House Bill 145, with emergency clause

Approved February 29, 2008

LAWS 2008, CHAPTER 77

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
PROVIDING THAT, FOR PROPERTY TAXATION PURPOSES, CERTAIN
AFFORDABLE HOUSING SUBSIDIES, COVENANTS OR ENCUMBRANCES SHALL
BE TAKEN INTO ACCOUNT WHEN DETERMINING THE MARKET VALUE OF
RESIDENTIAL HOUSING; DECLARING AN EMERGENCY.

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

Chapter 77 Section 1 Laws 2008

Section 1. Section 7-36-15 NMSA 1978 (being Laws 1975, Chapter 165, Section 2, as amended) is amended to read:

"7-36-15. METHODS OF VALUATION FOR PROPERTY TAXATION PURPOSES--GENERAL PROVISIONS.--

A. Property subject to valuation for property taxation purposes under this article of the Property Tax Code shall be valued by the methods required by this article of the Property Tax Code whether the determination of value is made by the department or the county assessor. The same or similar methods of valuation shall be used for valuation of the same or similar kinds of property for property taxation purposes.

B. Unless a method or methods of valuation are authorized in Sections 7-36-20 through 7-36-33 NMSA 1978, the value of property for property taxation purposes shall be its market value as determined by application of the sales of comparable property, income or cost methods of valuation or any combination of these methods. In using any of the methods of valuation authorized by this subsection, the valuation authority:

(1) shall apply generally accepted appraisal techniques; and

(2) in determining the market value of residential housing, shall consider any decrease in the value that would be realized by the owner in a sale of the property because of the effects of any affordable housing subsidy, covenant or encumbrance imposed pursuant to a federal, state or local affordable housing program that restricts the future use of the property or the resale price of the property or would otherwise prohibit the owner from fully benefitting from any enhanced value of the property. As used in this paragraph:

(a) "subsidy, covenant or encumbrance imposed pursuant to a federal, state or local affordable housing program" includes those imposed by a nonprofit entity approved by a governmental entity as a qualifying grantee pursuant to the Affordable Housing Act; and

(b) "residential housing" means any building, structure or portion thereof that is primarily occupied, or designed or intended primarily for occupancy, as a residence by one or more households and any real property that is offered for sale or lease for the construction or location thereon of such a building, structure or portion thereof. "Residential housing" includes congregate housing, manufactured homes, housing intended to provide or providing transitional or temporary housing for homeless persons and common health care, kitchen, dining, recreational and other facilities primarily for use by residents of a residential housing project.

C. Dams, reservoirs, tanks, canals, irrigation wells, installed irrigation pumps, stock-watering wells and pumps, similar structures and equipment used for irrigation or stock-watering purposes, water rights and private roads shall not be valued separately from the land they serve. The foregoing improvements and rights shall be considered as appurtenances to the land they serve, and their value shall be included in the determination of value of the land.

D. The department shall adopt regulations to implement the methods of valuation authorized in this article of the Property Tax Code."

Chapter 77 Section 2 Laws 2008

Section 2. APPLICABILITY.--The provisions of this act apply to the 2008 and subsequent property tax years.

Chapter 77 Section 3 Laws 2008

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

HHGAC/House Bill 661, with emergency clause

Approved February 29, 2008

LAWS 2008, CHAPTER 78

AN ACT

RELATING TO SOIL AND WATER CONSERVATION DISTRICTS; PROVIDING FOR EXTENSIONS OF ASSESSMENTS IMPOSED BY THE SUPERVISORS OF A SOIL AND WATER CONSERVATION DISTRICT; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Chapter 78 Section 1 Laws 2008

~~[Section 1. Section 73-20-46 NMSA 1978 (being Laws 1965, Chapter 137, Section 20, as amended) is amended to read:~~

~~"73-20-46. DISTRICT ASSESSMENTS.--~~

~~A. In the event a district is unable to meet or bear the expense of the duties imposed upon it by the Soil and Water Conservation District Act, the supervisors may adopt a resolution that, to be effective, shall be approved by referendum in the district and that shall provide for an annual levy for a stated period of up to ten years in a stated amount not exceeding one dollar (\$1.00), or any lower maximum amount required by operation of the rate limitation provisions of Section 7-37-7.1 NMSA 1978 upon the assessment authorized by this section, on each one thousand dollars (\$1,000) of net taxable value, as that term is defined in the Property Tax Code, of real property within the district, except that real property within incorporated cities and towns in the district may be excluded. The referendum held to approve or reject the resolution of the supervisors shall be conducted with appropriate ballot and in substantially the same manner as a referendum adopting and approving the creation of a proposed district. After the initial authorization is approved by referendum, the supervisors shall adopt a resolution in each following year authorizing the levy. To extend an assessment beyond the period of time originally authorized and approved by referendum, the supervisors shall adopt a new resolution extending the period of time originally authorized.~~

~~B. A resolution authorized under Subsection A of this section shall not be effective, and neither a referendum nor a levy is authorized, unless the resolution is submitted to and approved in writing by the commission.~~

~~C. In the event a resolution of the supervisors is adopted and approved in accordance with the provisions of Subsection A of this section, the supervisors of the district shall certify by the fifteenth of July of each year to the county assessor of each county in which there is situate land subject to the district assessment:~~

~~(1) a copy of the resolution of the supervisors;~~

~~(2) the results of any referendum held in the year the certification is made; and~~

~~(3) a list of landowners of the district and a description of the land owned by each that is subject to assessment.~~

~~D. A county assessor shall indicate the information on the tax schedules, compute the assessment and present the district assessment by regular tax bill.~~

~~E. The district assessment shall be collected by the county treasurer of each county in which taxable district land is situate in the same manner and at the same time that county ad valorem taxes are levied. The conditions, penalties and rates of interest applicable to county ad valorem taxation apply to the levy and collection of district assessments. A county treasurer shall be entitled to a collection fee equal to the actual costs of collection or four percent of the money collected from the levy of the district assessment, whichever is the lesser.~~

~~F. District funds, regardless of origin, shall be transferred to and held by the supervisors and shall be expended for district obligations and functions. The supervisors shall prepare an annual budget and submit it for approval to the commission and to the local government division of the department of finance and administration. All district funds shall be expended in accordance with the approved budgets.~~

~~G. In the event the supervisors of a district determine that there are or will be sufficient funds available for the operation of the district for any year for which an assessment is to be levied, they shall, by resolution, direct the assessor of each county in which taxable district land is situate, by July 15 of each year, to decrease the district assessment or to delete the district assessment reflected on the tax schedules.~~

~~H. Any levy authorized by the Soil and Water Conservation District Act and any loan or other indebtedness authorized by that act that will require a levy shall be based exclusively on or levied exclusively on the real property in the district, except that real property within incorporated cities and towns may be excluded."]LINE-ITEM VETO~~

Chapter 78 Section 2 Laws 2008

Section 2. APPROPRIATION.--Four hundred fifty thousand dollars (\$450,000) is appropriated from the general fund to the department of finance and administration for expenditure in fiscal year 2009 [to distribute to soil and water conservation districts] for the purpose of matching federal funds for water conservation and resource restoration technical assistance pursuant to an agreement with the United States department of agriculture resources conservation services. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.

Chapter 78 Section 3 Laws 2008

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

House Bill 140, as amended, with emergency clause, partial veto

Approved February 29, 2008

LAWS 2008, CHAPTER 79

AN ACT

RELATING TO NATIVE AMERICAN HEALTH CARE; PROVIDING FOR CREATION OF THE BERNALILLO COUNTY OFF-RESERVATION NATIVE AMERICAN HEALTH COMMISSION.

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

Chapter 79 Section 1 Laws 2008

Section 1. SHORT TITLE.--This act may be cited as the "Bernalillo County Off-Reservation Native American Health Commission Act".

Chapter 79 Section 2 Laws 2008

Section 2. DEFINITIONS.--As used in the Bernalillo County Off-Reservation Native American Health Commission Act:

- A. "commission" means the off-reservation Native American health commission;
- B. "department" means the department of health;
- C. "New Mexico tribe" means an Indian nation, tribe or pueblo located within New Mexico;
- D. "off-reservation Native American" means a member of a federally recognized tribe or an Alaskan native who lives in an off-reservation urban area and is a resident;
- E. "off-reservation nonprofit organization" means a corporate nonprofit entity that provides research, advocacy or health care services for the purpose of improving health care services or the overall health of Native Americans who are not living on reservations or pueblos;
- F. "off-reservation urban area" means an area of land that is within Bernalillo county but not under the jurisdiction of a New Mexico tribe;
- G. "resident" means a person who lives in and is domiciled in New Mexico; and
- H. "secretary" means the secretary of health.

Chapter 79 Section 3 Laws 2008

Section 3. BERNALILLO COUNTY OFF-RESERVATION NATIVE AMERICAN HEALTH COMMISSION CREATED--MEMBERSHIP.--

A. The board of county commissioners of Bernalillo county may create the "Bernalillo county off-reservation Native American health commission" and appoint nine commission members for staggered three-year terms after soliciting nominations for its membership from appropriate off-reservation nonprofit organizations in Bernalillo county.

B. The board of county commissioners may agree to appoint the commission's members to include:

(1) someone who manages the Indian health service's Albuquerque-area urban Indian health program;

(2) someone experienced in the delivery of off-reservation Native American health care services in Bernalillo county;

(3) the tribal liaison for the department;

(4) two members who are members of a New Mexico tribe and have a background in providing or advocating for off-reservation Native American health care;

(5) three members who are members of a non- New Mexico tribe and have a background in providing or advocating for off-reservation Native American health care; and

(6) one member of the Bernalillo county community health council.

C. Upon approval by the board of county commissioners, the commission shall meet at least four times a year, elect its own chair for a term not to exceed three years and be paid as provided in the Per Diem and Mileage Act.

Chapter 79 Section 4 Laws 2008

Section 4. GOALS.--The goals of the commission may include:

A. within two years of being named, creation of an initial off-reservation Native American health care plan that includes:

(1) an estimate of the number and tribal affiliation of Native Americans living in the off-reservation urban area;

(2) an inventory of sources of non-emergency health care for off-reservation Native Americans, identifying federal, state and local public resources, tribal facilities and program duplications;

(3) a cross-jurisdictional budget analysis compiled from the most current annual figures reported by state and county facilities demonstrating the amount of health care funding for off-reservation Native Americans available to the existing non-emergency facilities;

(4) recommendations to eliminate duplications of services, improve access, initiate new services and consolidate non-emergency health care budgets for off-reservation Native Americans; and

(5) a comprehensive set of recommendations for redesigning the system of non-emergency health care available to off-reservation Native Americans;

B. within three years of being named, presentation of a plan for permanent restructuring of state and local budgets and services for off-reservation Native American health care to the legislature along with proposed legislation for that restructuring that addresses:

(1) financing for persons not eligible for medicaid;

(2) estimated costs or savings to the state from off-reservation Native Americans receiving medicaid;

(3) ways to enhance use of preventive care;

(4) nonresidential substance abuse treatment;

(5) residential treatment for substance abuse withdrawal;

(6) coordination of health care facilities with transportation services;
and

(7) domestic violence and suicide prevention programs; and

C. a set of recommendations to the secretary on projects and programs that fall within the parameters of the initial off-reservation Native American health care plan and the permanent restructuring plans as funding becomes available.

Chapter 79 Section 5 Laws 2008

Section 5. OFF-RESERVATION NATIVE AMERICAN HEALTH CARE PLAN IMPLEMENTATION.--

A. The secretary may contract for services as recommended by the commission, unless the secretary enters an objection with the commission, detailing reasons why recommended services are not in keeping with the initial off-reservation Native American health care plan or the permanent restructuring plan.

B. Nothing in the Bernalillo County Off- Reservation Native American Health Commission Act shall prohibit the department from contracting for categories of off-reservation Native American health care services prior to its effective date or for services it deems essential for public health.

Chapter 79 Section 6 Laws 2008

Section 6. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

House Bill 236, as amended

Approved March 3, 2008

LAWS 2008, CHAPTER 80

AN ACT

AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL PROJECTS GENERAL OBLIGATION BONDS TO MAKE CAPITAL EXPENDITURES FOR SENIOR CITIZEN FACILITY IMPROVEMENTS AND ACQUISITIONS, FOR LIBRARY ACQUISITIONS, FOR HEALTH FACILITIES AND FOR CAPITAL IMPROVEMENTS AND ACQUISITIONS AT INSTITUTIONS OF HIGHER EDUCATION AND STATE SPECIAL SCHOOLS; PROVIDING FOR A TAX LEVY FOR PAYMENT OF PRINCIPAL OF, INTEREST ON AND CERTAIN COSTS RELATED TO THE BONDS; REQUIRING APPROVAL OF THE REGISTERED VOTERS AT THE 2008 GENERAL ELECTION OF THE STATE; DECLARING AN EMERGENCY.

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

Chapter 80 Section 1 Laws 2008

Section 1. SHORT TITLE.--This act may be cited as the "2008 Capital Projects General Obligation Bond Act".

Chapter 80 Section 2 Laws 2008

Section 2. PURPOSE.--For the purpose of providing funds for capital expenditures as authorized in the 2008 Capital Projects General Obligation Bond Act, general obligation indebtedness of the state is authorized for the purposes and in the amounts set forth in Section 10 of that act.

Chapter 80 Section 3 Laws 2008

Section 3. BOND TERMS.--

A. The state board of finance, except as limited by the 2008 Capital Projects General Obligation Bond Act, shall determine the terms, covenants and conditions of bonds issued pursuant to that act, including but not limited to:

(1) date or dates of issue, denominations and maturities;

(2) principal amounts;

(3) rate or rates of interest; and

(4) provisions for redemption, including premiums, registration and refundability, whether the bonds are issued in one or more series and other covenants relating to the bonds and the issuance thereof.

B. The bonds shall be in such form as the state board of finance determines with an appropriate series designation and shall bear interest payable as set forth in the resolution of the state board of finance.

C. Payment of the principal of the bonds shall begin not more than two years after the date of their issuance, and the bonds shall mature not later than ten years after the date of their issuance. Both principal and interest shall be payable in lawful money of the United States at the office of the paying agent within or without the state as the state board of finance may direct.

D. The bonds shall be executed with the manual or facsimile signature of the governor or the state treasurer, and the seal or a facsimile of the seal of the state shall be placed on each bond, except for any series of bonds issued in book entry or similar form without the delivery of physical securities.

E. The bonds shall be issued in accordance with the provisions of the 2008 Capital Projects General Obligation Bond Act, the Supplemental Public Securities Act and the Uniform Facsimile Signature of Public Officials Act and may be issued in accordance with the Public Securities Short-Term Interest Rate Act.

F. The full faith and credit of the state is pledged for the prompt payment when due of the principal of and interest on all bonds issued and sold pursuant to the 2008 Capital Projects General Obligation Bond Act.

Chapter 80 Section 4 Laws 2008

Section 4. EXPENDITURES.--The proceeds from the sale of the bonds shall be expended solely for providing money to be distributed for the purposes and in amounts not to exceed the amounts set forth in Section 10 of the 2008 Capital Projects General Obligation Bond Act and to pay expenses incurred under Section 6 of that act. Any

proceeds from the sale of the bonds that are not required for the purposes set forth in Sections 6 and 10 of that act shall be used for the purpose of paying the principal of and interest on the bonds.

Chapter 80 Section 5 Laws 2008

Section 5. SALE.--The bonds authorized under the 2008 Capital Projects General Obligation Bond Act shall be sold by the state board of finance at such time and in such manner and amounts as the board may elect. The bonds may be sold at private sale or at public sale, in either case at not less than par plus accrued interest to the date of delivery. If sold at public sale, the state board of finance shall publish a notice of the time and place of sale in a newspaper of general circulation in the state and may also publish the notice in a recognized financial journal outside the state. The required publications shall be made once each week for two consecutive weeks prior to the date fixed for the sale, the last publication thereof to be at least five days prior to the date of the sale. The notice shall specify the amount, denomination, maturity and description of the bonds to be offered for sale and the place, date and hour at which the sealed bids shall be received. At the time and place specified in the notice, the state board of finance shall open the bids in public and shall award the bonds to the bidder or bidders offering the best price for the bonds. The state board of finance may reject any or all bids and readvertise and may waive any irregularity in a bid. All bids, except that of the state, shall be accompanied by a deposit of two percent of the principal amount of the bonds in a form acceptable to the state board of finance. The deposit of an unsuccessful bidder shall be returned upon rejection of the bid. The state board of finance may also sell the bonds or any part of the bonds to the state treasurer or state investment officer. The state treasurer or state investment officer is authorized to purchase any of the bonds for investment. The bonds are legal investments for any person or board charged with the investment of any public funds and may be accepted as security for any deposit of public money.

Chapter 80 Section 6 Laws 2008

Section 6. EXPENSES.--The expenses incurred by the state board of finance in or relating to the preparation and sale of the bonds shall be paid out of the proceeds from the sale of the bonds, and all rebate, penalty, interest and other obligations of the state relating to the bonds and bond proceeds under the Internal Revenue Code of 1986, as amended, shall be paid from earnings on bond proceeds or other money of the state, legally available for such payments.

Chapter 80 Section 7 Laws 2008

Section 7. TAX LEVY.--To provide for the payment of the principal of and interest on the bonds issued and sold pursuant to the provisions of the 2008 Capital Projects General Obligation Bond Act, there shall be and there is hereby imposed and levied during each year in which any of the bonds are outstanding an ad valorem tax on all property in the state subject to property taxation for state purposes sufficient to pay the

interest as it becomes due on the bonds, together with an amount sufficient to provide a sinking fund to pay the principal of the bonds as it becomes due and, if permitted by law, ad valorem taxes may be collected to pay administrative costs incident to the collection of such taxes. The taxes shall be imposed, levied, assessed and collected at the times and in the manner that other property taxes for state purposes are imposed, levied, assessed and collected. It is the duty of all tax officials and authorities to cause these taxes to be imposed, levied, assessed and collected.

Chapter 80 Section 8 Laws 2008

Section 8. TREASURER--DUTIES.--The state treasurer shall keep separate accounts of all money collected pursuant to the taxes imposed and levied pursuant to the provisions of the 2008 Capital Projects General Obligation Bond Act and shall use this money only for the purposes of paying the principal of and interest on the bonds as they become due and any expenses relating thereto.

Chapter 80 Section 9 Laws 2008

Section 9. IRREPEALABLE CONTRACT--AUTHORITY FOR ISSUANCE.--An owner of bonds issued pursuant to the provisions of the 2008 Capital Projects General Obligation Bond Act may, either at law or in equity, by suit, action or mandamus, enforce and compel the performance of the duties required by that act of any officer or entity mentioned in that act. The provisions of that act constitute an irrevocable contract with the owners of any of the bonds issued pursuant to that act for the faithful performance of which the full faith and credit of the state is pledged. Without reference to any other act of the legislature, the 2008 Capital Projects General Obligation Bond Act is full authority for the issuance and sale of the bonds authorized in that act, and such bonds shall have all the qualities of investment securities under the Uniform Commercial Code, shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale of the bonds and shall be incontestable in the hands of bona fide purchasers or holders thereof for value. All bonds issued under the provisions of that act, and the interest thereon, are exempt from taxation by the state and any subdivision or public body thereof.

Chapter 80 Section 10 Laws 2008

Section 10. PROJECTS.--The proceeds from the sale of bonds issued under the provisions of the 2008 Capital Projects General Obligation Bond Act shall be distributed as follows for the purposes and in the amounts specified:

A. for senior citizen facility improvements, equipment and construction, to the aging and long-term services department:

(1) one hundred thirty-seven thousand six hundred dollars (\$137,600) to purchase and install equipment for senior centers citywide in Albuquerque in Bernalillo county;

(2) forty-three thousand seven hundred dollars (\$43,700) to purchase and install meals equipment for senior centers citywide in Albuquerque in Bernalillo county;

(3) one million six hundred thousand dollars (\$1,600,000) to plan, design, construct, equip and furnish the Barelvas senior center in Bernalillo county;

(4) fifty-eight thousand dollars (\$58,000) to purchase and install equipment for senior centers countywide in Bernalillo county;

(5) four hundred seventy-five thousand dollars (\$475,000) to plan, design, construct, equip and furnish the Highland senior center in Bernalillo county;

(6) fifty-one thousand dollars (\$51,000) to make improvements, including purchase and installation of equipment, to the To'hajiilee chapter senior center on the Navajo Nation in Bernalillo county;

(7) twenty thousand dollars (\$20,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the To'hajiilee chapter senior center on the Navajo Nation in Bernalillo county;

(8) two thousand one hundred sixty-five dollars (\$2,165) to purchase and install meals equipment for the Catron senior center in Catron county;

(9) twenty thousand five hundred fifteen dollars (\$20,515) to purchase and install equipment for the Chaves Joy senior centers in Chaves county;

(10) one hundred five thousand dollars (\$105,000) to purchase and install equipment for the senior olympics program in Chaves county;

(11) four hundred fifty thousand dollars (\$450,000) to plan, design, construct, equip and furnish the Hagerman senior center in Chaves county;

(12) ten thousand six hundred dollars (\$10,600) to purchase and install equipment for the Pueblo of Acoma senior center in Cibola county;

(13) sixty thousand dollars (\$60,000) to make improvements, including purchase and installation of equipment, to the Pueblo of Acoma senior center in Cibola county;

(14) six thousand dollars (\$6,000) to purchase and install equipment for the Grants senior center in Cibola county;

(15) four hundred seventy-five thousand dollars (\$475,000) to plan, design, construct, equip and furnish the Pueblo of Laguna senior center in Cibola county;

(16) thirty thousand dollars (\$30,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Pueblo of Laguna senior and adult daycare center in Cibola county;

(17) thirty-five thousand eight hundred forty dollars (\$35,840) to make improvements, including purchase and installation of equipment, to the Cimarron senior center in Colfax county;

(18) thirteen thousand five hundred dollars (\$13,500) to purchase and install equipment for senior centers countywide in Colfax county;

(19) thirty-nine thousand nine hundred dollars (\$39,900) to purchase and install meals equipment for senior centers countywide in Colfax county;

(20) forty-two thousand five hundred dollars (\$42,500) to make improvements, including purchase and installation of equipment, to the Eagle Nest senior center in Colfax county;

(21) forty thousand dollars (\$40,000) to make improvements, including purchase and installation of equipment, to the Raton senior center in Colfax county;

(22) two thousand five hundred dollars (\$2,500) to make improvements for building-code compliance, including purchase and installation of equipment, to the Raton senior center in Colfax county;

(23) one hundred thousand dollars (\$100,000) to make improvements, including purchase and installation of equipment, to the Springer senior center in Colfax county;

(24) fifteen thousand dollars (\$15,000) to make improvements, including purchase and installation of equipment, to the Clovis Baxter-Curren senior center in Curry county;

(25) twelve thousand five hundred sixteen dollars (\$12,516) to purchase and install equipment for the Clovis senior center in Curry county;

(26) eleven thousand two hundred dollars (\$11,200) to make improvements, including purchase and installation of equipment, to the Alice Converse senior center in Curry county;

(27) seven thousand dollars (\$7,000) to purchase and install meals equipment for the Grady senior center in Curry county;

(28) eighteen thousand dollars (\$18,000) to purchase and install equipment for the East Mesa senior center in Dona Ana county;

(29) five thousand dollars (\$5,000) to purchase and install equipment for the East Side senior center in Dona Ana county;

(30) eighteen thousand dollars (\$18,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the East Side senior center in Dona Ana county;

(31) six thousand dollars (\$6,000) to purchase and install equipment for senior centers citywide in Las Cruces in Dona Ana county;

(32) forty thousand seven hundred dollars (\$40,700) to purchase and install meals equipment for senior centers citywide in Las Cruces in Dona Ana county;

(33) ninety-seven thousand four hundred forty dollars (\$97,440) to make improvements, including purchase and installation of equipment, to the Artesia senior center in Eddy county;

(34) three thousand nine hundred thirty-seven dollars (\$3,937) to purchase and install meals equipment for the Carlsbad senior center in Eddy county;

(35) seven thousand five hundred dollars (\$7,500) to make improvements, including purchase and installation of equipment, to the Mimbres Valley senior center in Grant county;

(36) three thousand five hundred twenty-eight dollars (\$3,528) to purchase and install equipment for senior centers countywide in Grant county;

(37) thirty-seven thousand four hundred nineteen dollars (\$37,419) to purchase and install meals equipment for senior centers countywide in Grant county;

(38) eighty-four thousand three hundred seventeen dollars (\$84,317) to make improvements, including purchase and installation of equipment, to La Loma senior center in Guadalupe county;

(39) eighty-two thousand dollars (\$82,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Santa Rosa senior center in Guadalupe county;

(40) seven hundred twenty-five thousand dollars (\$725,000) to plan, design, construct, equip and furnish the Lordsburg senior center in Hidalgo county;

(41) three thousand nine hundred thirty-six dollars (\$3,936) to purchase and install meals equipment for the Lordsburg senior center in Hidalgo county;

(42) two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish the Hobbs senior center in Lea county;

(43) twenty-two thousand six hundred dollars (\$22,600) to purchase and install meals equipment for the Jal senior center in Lea county;

(44) one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, equip and furnish the Hondo Valley senior center in Lincoln county;

(45) seven thousand five hundred dollars (\$7,500) to make improvements for building-code compliance, including purchase and installation of equipment, to the Hondo Valley senior center in Lincoln county;

(46) forty thousand dollars (\$40,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Ruidoso senior center in Lincoln county;

(47) five thousand dollars (\$5,000) to make improvements, including purchase and installation of equipment, to the Baahaali chapter senior center on the Navajo Nation in McKinley county;

(48) eight thousand dollars (\$8,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Baahaali chapter senior center on the Navajo Nation in McKinley county;

(49) fifty-nine thousand dollars (\$59,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Baca chapter senior center on the Navajo Nation in McKinley county;

(50) five hundred thousand dollars (\$500,000) to plan, design, construct, equip and furnish the Chichiltah chapter senior center on the Navajo Nation in McKinley county;

(51) eleven thousand one hundred thirty dollars (\$11,130) to make improvements, including purchase and installation of equipment, to the Chichiltah chapter senior center on the Navajo Nation in McKinley county;

(52) four thousand dollars (\$4,000) to purchase and install equipment for the Gallup senior center in McKinley county;

(53) twenty thousand dollars (\$20,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Nahodishgish chapter senior center on the Navajo Nation in McKinley county;

(54) forty-five thousand dollars (\$45,000) to make improvements, including purchase and installation of equipment, to the Pinedale chapter senior center on the Navajo Nation in McKinley county;

(55) twenty-one thousand dollars (\$21,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Pinedale chapter senior center on the Navajo Nation in McKinley county;

(56) one hundred thousand dollars (\$100,000) to purchase and install equipment for the Pueblo Pintado chapter senior center on the Navajo Nation in McKinley county;

(57) twenty-five thousand dollars (\$25,000) to make improvements, including purchase and installation of equipment, to the Ramah senior center in McKinley county;

(58) fifteen thousand dollars (\$15,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Smith Lake chapter senior center on the Navajo Nation in McKinley county;

(59) seven hundred thousand dollars (\$700,000) to plan, design, construct, equip and furnish the Standing Rock chapter senior center on the Navajo Nation in McKinley county;

(60) seventy-five thousand dollars (\$75,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Thoreau senior center in McKinley county;

(61) twenty thousand dollars (\$20,000) to make improvements, including purchase and installation of equipment, to the Thoreau chapter senior center on the Navajo Nation in McKinley county;

(62) thirty thousand dollars (\$30,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Thoreau chapter senior center on the Navajo Nation in McKinley county;

(63) five thousand dollars (\$5,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Tohatchi chapter senior center on the Navajo Nation in McKinley county;

(64) one hundred thousand dollars (\$100,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Twin Lakes chapter senior center on the Navajo Nation in McKinley county;

(65) ninety thousand dollars (\$90,000) to make improvements, including purchase and installation of equipment, to the Pueblo of Zuni senior center in McKinley county;

(66) fifteen thousand three hundred dollars (\$15,300) to purchase and install meals equipment for the Mora and Wagon Mound senior centers in Mora county;

(67) six hundred thousand dollars (\$600,000) to plan, design, construct, equip and furnish the Mora-Wagon Mound senior center in Mora county;

(68) ten thousand dollars (\$10,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Pueblo of Isleta senior center in Bernalillo county;

(69) forty-five thousand dollars (\$45,000) to make improvements for building-code compliance, including purchase and installation of equipment, to senior centers nationwide on the Navajo Nation in McKinley, San Juan, Cibola, Bernalillo and Sandoval counties;

(70) one hundred twenty thousand dollars (\$120,000) to purchase and install equipment for senior centers nationwide on the Navajo Nation in McKinley, San Juan, Cibola, Bernalillo and Sandoval counties;

(71) two hundred twenty-five thousand dollars (\$225,000) to purchase and install meals equipment for the Navajo Nation senior centers nationwide in McKinley, San Juan, Cibola, Bernalillo and Sandoval counties;

(72) twenty-five thousand five hundred forty dollars (\$25,540) to purchase and install equipment for the Alamogordo senior center in Otero county;

(73) ten thousand six hundred thirty-two dollars (\$10,632) to purchase and install meals equipment for the Alamogordo senior center in Otero county;

(74) five thousand dollars (\$5,000) to purchase and install equipment for the Mescalero Apache Tribe senior center in Otero county;

(75) thirteen thousand three hundred ten dollars (\$13,310) to purchase and install meals equipment for the Sacramento senior center in Otero county;

(76) seven hundred thirty-nine thousand nine hundred fifty-four dollars (\$739,954) to plan, design, construct, equip and furnish the Tularosa senior center in Otero county;

(77) six thousand dollars (\$6,000) to purchase and install equipment for the Tularosa senior center in Otero county;

(78) ninety-six thousand dollars (\$96,000) to make improvements, including purchase and installation of equipment, to the Tularosa senior center in Otero county;

(79) thirty-nine thousand nine hundred dollars (\$39,900) to purchase and install meals equipment for the Tularosa senior center in Otero county;

(80) five thousand eight hundred twenty-five dollars (\$5,825) to purchase and install equipment for the Logan senior center in Quay county;

(81) twelve thousand one hundred ninety dollars (\$12,190) to purchase and install meals equipment for the Logan senior center in Quay county;

(82) twenty-five thousand dollars (\$25,000) to make improvements, including purchase and installation of equipment, to the San Jon senior center in Quay county;

(83) one hundred ninety thousand dollars (\$190,000) to make improvements, including purchase and installation of equipment, to the Alcalde community senior meal site center in Rio Arriba county;

(84) two hundred thousand dollars (\$200,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Coyote senior center in Rio Arriba county;

(85) fifty thousand dollars (\$50,000) to make improvements, including purchase and installation of equipment, to the Espanola senior center in Rio Arriba county;

(86) forty-five thousand five hundred dollars (\$45,500) to make improvements for building-code compliance, including purchase and installation of equipment, to the Espanola senior center in Rio Arriba county;

(87) nine thousand eight hundred dollars (\$9,800) to purchase and install equipment for senior centers countywide in Rio Arriba county;

(88) seven thousand six hundred eighty dollars (\$7,680) to purchase and install meals equipment for senior centers countywide in Rio Arriba county;

(89) twenty-five thousand dollars (\$25,000) to make improvements, including purchase and installation of equipment, to the Pueblo of Santa Clara senior center in Rio Arriba county;

(90) fifty thousand dollars (\$50,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Pueblo of Santa Clara senior and adult daycare center in Rio Arriba county;

(91) thirty-six thousand two hundred dollars (\$36,200) to purchase and install meals equipment for the Pueblo of Santa Clara senior and adult daycare center in Rio Arriba county;

(92) fifteen thousand eight hundred thirty dollars (\$15,830) to purchase and install equipment for the Portales senior center in Roosevelt county;

(93) twelve thousand four hundred three dollars (\$12,403) to purchase and install meals equipment for the Portales senior center in Roosevelt county;

(94) four thousand five hundred three dollars (\$4,503) to make improvements, including purchase and installation of equipment, to the Blanco senior center in San Juan county;

(95) six thousand six hundred twenty-two dollars (\$6,622) to make improvements for building-code compliance, including purchase and installation of equipment, to the Bloomfield senior center in San Juan county;

(96) twenty thousand dollars (\$20,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Crystal chapter senior center on the Navajo Nation in San Juan county;

(97) four thousand dollars (\$4,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Huerfano chapter senior center on the Navajo Nation in San Juan county;

(98) twelve thousand dollars (\$12,000) to make improvements, including purchase and installation of equipment, to the Lake Valley chapter senior center on the Navajo Nation in San Juan county;

(99) four thousand five hundred dollars (\$4,500) to make improvements for building-code compliance, including purchase and installation of equipment, to the Nageezi chapter senior center on the Navajo Nation in San Juan county;

(100) three hundred thousand dollars (\$300,000) to plan, design, construct, equip and furnish the Newcomb chapter senior center on the Navajo Nation in San Juan county;

(101) one thousand five hundred dollars (\$1,500) to purchase and install meals equipment for the Lower Valley senior center in San Juan county;

(102) twenty-one thousand dollars (\$21,000) to purchase and install meals equipment for senior centers countywide in San Juan county;

(103) two thousand two hundred thirty dollars (\$2,230) to make improvements, including purchase and installation of equipment, to the Shiprock chapter senior center in San Juan county;

(104) seventy-one thousand five hundred dollars (\$71,500) to make improvements for building-code compliance, including purchase and installation of equipment, to the Las Vegas senior center in San Miguel county;

(105) nine thousand six hundred dollars (\$9,600) to purchase and install meals equipment for the Las Vegas senior center in San Miguel county;

(106) three hundred thousand dollars (\$300,000) to plan, design, construct, equip and furnish the Pueblo of Cochiti senior center in Sandoval county;

(107) twenty-four thousand five hundred dollars (\$24,500) to make improvements, including purchase and installation of equipment, to the Pueblo of Jemez senior center in Sandoval county;

(108) fifteen thousand dollars (\$15,000) to purchase and install meals equipment for the Pueblo of Jemez senior center in Sandoval county;

(109) fourteen thousand dollars (\$14,000) to make improvements, including purchase and installation of equipment, to the Pena Blanca senior center in Sandoval county;

(110) three hundred thousand dollars (\$300,000) to plan, design, construct, equip and furnish the Rio Rancho senior center in Sandoval county;

(111) two thousand five hundred dollars (\$2,500) to purchase and install equipment for the Sandoval county adult daycare senior center in Sandoval county;

(112) nine thousand three hundred dollars (\$9,300) to purchase and install meals equipment for the Rio Rancho senior center in Sandoval county;

(113) six thousand five hundred dollars (\$6,500) to purchase and install equipment for the Pueblo of San Felipe senior center in Sandoval county;

(114) fourteen thousand dollars (\$14,000) to purchase and install meals equipment for the Jemez senior center in Sandoval county;

(115) twelve thousand five hundred dollars (\$12,500) to purchase and install equipment for senior centers countywide in Sandoval county;

(116) thirty-eight thousand dollars (\$38,000) to purchase and install equipment for the Pueblo of Zia and Pueblo of Santa Ana senior centers in Sandoval county;

(117) thirty thousand dollars (\$30,000) to purchase and install meals equipment for the Pueblo of Zia and Pueblo of Santa Ana senior centers in Sandoval county;

(118) eighteen thousand dollars (\$18,000) to purchase and install equipment for the Pueblo of Santo Domingo senior center in Sandoval county;

(119) sixteen thousand three hundred dollars (\$16,300) to make improvements for building-code compliance, including purchase and installation of equipment, to the Pueblo of Santo Domingo senior center in Sandoval county;

(120) five hundred seventy-five thousand dollars (\$575,000) to plan, design, construct, equip and furnish the Torreon chapter senior center on the Navajo Nation in Sandoval county;

(121) twenty-five thousand dollars (\$25,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Chimayo senior center in Santa Fe county;

(122) seventy-five thousand dollars (\$75,000) to make improvements, including purchase and installation of equipment, to the Pueblo of Pojoaque senior center in Santa Fe county;

(123) twenty-five thousand six hundred dollars (\$25,600) to make improvements, including purchase and installation of equipment, to the Pueblo of San Ildefonso senior center in Santa Fe county;

(124) twenty-four thousand three hundred dollars (\$24,300) to purchase and install meals equipment for senior centers citywide in Santa Fe in Santa Fe county;

(125) fourteen thousand two hundred seventy dollars (\$14,270) to make improvements for building-code compliance, including purchase and installation of equipment, to the Mary Esther and Luisa senior centers in Santa Fe county;

(126) thirty-two thousand three hundred ten dollars (\$32,310) to purchase and install meals equipment for the Rufina meal site center in Santa Fe county;

(127) fifty-seven thousand dollars (\$57,000) to purchase and install meals equipment for senior centers countywide in Santa Fe county;

(128) thirty-eight thousand dollars (\$38,000) to make improvements for building-code compliance, including purchase and installation of equipment, to the Truth or Consequences senior center in Sierra county;

(129) twenty-two thousand nine hundred fifty dollars (\$22,950) to purchase and install meals equipment for the Truth or Consequences senior center in Sierra county;

(130) thirty-six thousand dollars (\$36,000) to make improvements, including purchase and installation of equipment, to the Magdalena senior center in Socorro county;

(131) thirty-six thousand dollars (\$36,000) to make improvements, including purchase and installation of equipment, to the Northern senior center in Socorro county;

(132) one million dollars (\$1,000,000) to purchase and install equipment for area agencies on aging statewide;

(133) forty thousand dollars (\$40,000) to make improvements, including purchase and installation of equipment, to the Pueblo of Picuris senior center in Taos county;

(134) two thousand thirty-six dollars (\$2,036) to make improvements for building-code compliance, including purchase and installation of equipment, to the Taos senior center in Taos county;

(135) eleven thousand six hundred forty-eight dollars (\$11,648) to purchase and install equipment for senior centers countywide in Taos county;

(136) sixteen thousand six hundred seventy-four dollars (\$16,674) to purchase and install meals equipment for senior centers countywide in Taos county;

(137) eight hundred ninety-nine thousand six hundred dollars (\$899,600) to plan, design, construct, equip and furnish the Pueblo of Taos senior center in Taos county;

(138) three thousand five hundred dollars (\$3,500) to purchase and install equipment for the Pueblo of Taos senior center in Taos county;

(139) four thousand five hundred dollars (\$4,500) to purchase and install meals equipment for the Pueblo of Taos senior center in Taos county;

(140) twenty-five thousand dollars (\$25,000) to make improvements, including purchase and installation of equipment, to the Moriarty senior center in Torraine county;

(141) three thousand five hundred dollars (\$3,500) to make improvements for building-code compliance, including purchase and installation of equipment, to the Moriarty senior center in Torrance county;

(142) thirty-five thousand dollars (\$35,000) to make improvements, including purchase and installation of equipment, to the Mountainair senior center in Torrance county;

(143) eighteen thousand dollars (\$18,000) to purchase and install equipment for senior centers in Mountainair, Estancia and Moriarty in Torrance county;

(144) eleven thousand three hundred dollars (\$11,300) to purchase and install equipment for the Clayton senior center in Union county;

(145) twelve thousand dollars (\$12,000) to make improvements, including purchase and installation of equipment, to the Clayton senior center in Union county;

(146) five thousand nine hundred fifty dollars (\$5,950) to purchase and install meals equipment for the Clayton senior center in Union county;

(147) four hundred fifty thousand dollars (\$450,000) to plan, design, construct, equip and furnish the Del Rio senior center in Valencia county; and

(148) twenty-nine thousand two hundred dollars (\$29,200) to purchase and install equipment for the Del Rio and Meadow Lake senior centers in Valencia county;

B. for library acquisitions at public libraries, public school libraries, academic libraries and tribal libraries statewide:

(1) to the cultural affairs department:

(a) three million dollars (\$3,000,000) to acquire library books, equipment and library resources for public libraries statewide; and

(b) two million dollars (\$2,000,000) to acquire library books, equipment and library resources for tribal libraries statewide;

(2) to the public education department, three million dollars (\$3,000,000) to acquire library books, equipment and library resources for public school libraries statewide; and

(3) to the higher education department, three million dollars (\$3,000,000) to acquire library books, equipment and library resources for academic libraries statewide;

C. for capital improvements at health facilities statewide:

(1) to the higher education department:

(a) four million dollars (\$4,000,000) to plan, design, construct, equip and furnish the allied health building at Clovis community college in Clovis in Curry county;

(b) five million dollars (\$5,000,000) to plan, design, construct, equip and furnish the health sciences center at San Juan college in Farmington in San Juan county; and

(c) seven million dollars (\$7,000,000) to plan, design, construct, equip and furnish educational facilities for the university of New Mexico dental residency program statewide. The higher education department shall coordinate the expenditure of these funds with the health sciences center at the university of New Mexico;

(2) to the Indian affairs department, three million dollars (\$3,000,000) to plan, design and construct a regional wellness center at the Santa Fe Indian school in Santa Fe in Santa Fe county;

(3) to the board of regents of New Mexico state university, three million dollars (\$3,000,000) to plan, design and construct an allied health and university transfer center at the Carlsbad branch campus of New Mexico state university in Eddy county;

(4) to the board of regents of the university of New Mexico:

(a) seventeen million dollars (\$17,000,000) to plan, design, construct, equip and furnish the cancer research and treatment center at the health sciences center at the university of New Mexico in Albuquerque in Bernalillo county; and

(b) four million five hundred thousand dollars (\$4,500,000) to plan, design, construct, equip and furnish the health sciences center neurosciences research building at the university of New Mexico in Albuquerque in Bernalillo county;

(5) to the capital program fund, ten million dollars (\$10,000,000) to plan, design and construct phase 1 of the Meadows hospital facility at the New Mexico behavioral health institute in Las Vegas in San Miguel county; and

(6) to the department of health:

(a) two million three hundred twenty-eight thousand dollars (\$2,328,000) to renovate public health offices in Roosevelt county, Alamogordo in Otero county and Sunland Park in Dona Ana county; and

(b) two million dollars (\$2,000,000) to construct and equip a regional health facility in Rio Arriba county to provide health services to northern New Mexico; and

D. for capital improvements at institutions of higher education and constitutional special schools statewide:

(1) to the higher education department:

(a) twelve million dollars (\$12,000,000) to design and construct phase 3 of the westside campus of central New Mexico community college in Bernalillo county;

(b) three million five hundred thousand dollars (\$3,500,000) to plan, design, construct, equip and furnish upgrades at the central plant at the New Mexico junior college in Hobbs in Lea county;

(c) seven million dollars (\$7,000,000) to plan, design, construct, equip and furnish the North American wind research and training center at Mesalands community college in Tucumcari in Quay county;

(d) four million five hundred thousand dollars (\$4,500,000) to plan, design, construct, equip and furnish the multipurpose education center at Luna community college in Las Vegas in San Miguel county;

(e) four million two hundred thousand dollars (\$4,200,000) to plan, design, construct, equip and furnish the trades and advanced technology center at Santa Fe community college in Santa Fe county; and

(f) five hundred thousand dollars (\$500,000) to plan, design and construct the science, technology, art and cultural center at the institute of American Indian arts in Santa Fe county;

(2) to the board of regents of eastern New Mexico university:

(a) four million dollars (\$4,000,000) to plan, design, construct, equip and furnish the educational center at the Roswell branch campus in Chaves county;

(b) two million dollars (\$2,000,000) to plan, design, construct, equip and furnish an electrical system upgrade in Portales in Roosevelt county;

(c) nine million dollars (\$9,000,000) to plan, design, construct, equip and furnish the technology building renovation in Portales in Roosevelt county; and

(d) one million dollars (\$1,000,000) for renovation and expansion of the music building at eastern New Mexico university in Portales in Roosevelt county;

(3) to the board of regents of New Mexico highlands university:

(a) nine million dollars (\$9,000,000) to plan, design, construct, equip and furnish infrastructure at New Mexico highlands university in Las Vegas in San Miguel county; and

(b) one million eight hundred thousand dollars (\$1,800,000) to complete renovations to the Lora Mangum Shields science building and annex at New Mexico highlands university in Las Vegas in San Miguel county;

(4) to the board of regents of New Mexico military institute, five million dollars (\$5,000,000) for renovations, including improvements related to code compliance, at Pearson auditorium in Roswell in Chaves county;

(5) to the board of regents of New Mexico institute of mining and technology, eight million dollars (\$8,000,000) to plan, design, construct, equip and furnish central utility infrastructure renovation and expansion in Socorro in Socorro county;

(6) to the board of regents of New Mexico school for the deaf, three million dollars (\$3,000,000) to plan, design, construct, equip and furnish Dillon hall in Santa Fe in Santa Fe county;

(7) to the board of regents of New Mexico state university:

(a) nineteen million dollars (\$19,000,000) to plan, design, construct, equip and furnish the arts complex in Las Cruces in Dona Ana county;

(b) two million four hundred thousand dollars (\$2,400,000) for an agricultural center for research, education and services in Las Cruces in Dona Ana county;

(c) six million dollars (\$6,000,000) to design, plan, construct, equip and furnish the Dona Ana east mesa center to be used primarily for classroom and laboratory space at the Dona Ana branch in Las Cruces in Dona Ana county;

(d) five hundred thousand dollars (\$500,000) to renovate and expand the trades building at the Dona Ana branch campus of New Mexico state university in Las Cruces in Dona Ana county;

(e) one million dollars (\$1,000,000) to plan, design, construct, equip and furnish renovations of the general classroom buildings at the Alamogordo branch campus in Otero county;

(f) three hundred thousand dollars (\$300,000) for infrastructure renovation and expansion at the Carlsbad branch campus in Eddy county; and

(g) one million dollars (\$1,000,000) for infrastructure renovation and expansion at the Grants branch campus in Cibola county;

(8) to the board of regents of northern New Mexico state school:

(a) five million dollars (\$5,000,000) to plan, design, construct, equip and furnish the Ben Lujan learning resource center addition at the Espanola campus in Rio Arriba county; and

(b) one million dollars (\$1,000,000) to acquire land for and plan and design a solar energy research park academy and to retrofit buildings for alternative energy resources on the Espanola campus in Rio Arriba county;

(9) to the board of regents of the university of New Mexico:

(a) five million dollars (\$5,000,000) to plan, design, construct, equip and furnish the renovation and expansion of the existing biology building in Albuquerque in Bernalillo county;

(b) six million dollars (\$6,000,000) to plan, design, construct, equip and furnish the college of education renewal in Albuquerque in Bernalillo county;

(c) four million dollars (\$4,000,000) to plan, design, construct, equip and furnish the film and digital media building at Mesa del Sol in Albuquerque in Bernalillo county;

(d) two million dollars (\$2,000,000) to plan, design, construct, equip and furnish the learning center in Albuquerque in Bernalillo county;

(e) nine hundred thousand dollars (\$900,000) for structural repair and mechanical replacements at Calvin hall at the Gallup branch campus in McKinley county; and

(f) three million three hundred thousand dollars (\$3,300,000) to plan, design, construct, equip and furnish the classroom completion project at the Taos branch in Taos county; and

(10) to the board of regents of western New Mexico university:

(a) two million dollars (\$2,000,000) to plan, design, construct, equip and furnish the Chino computing center renovation in Silver City in Grant county; and

(b) six million dollars (\$6,000,000) to plan, design, construct, equip and furnish infrastructure in Silver City in Grant county.

Chapter 80 Section 11 Laws 2008

Section 11. ELECTION.--

A. Bonds issued pursuant to the 2008 Capital Projects General Obligation Bond Act shall be submitted to the registered voters of the state at the general election to be held in November 2008, and, if they receive a majority of all the votes cast thereon at such election, shall take effect upon certification of the state canvassing board announcing the results of such election. No bonds shall be issued or sold under that act until the registered voters of this state have voted upon and approved the bonds and property tax as provided in this section. Any bonds issued under that act shall be issued within thirty months from the date of such election.

B. The ballots used at the 2008 general election shall contain substantially the following language:

(1) "The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of senior citizen facility improvement, construction and equipment acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed fourteen million seven hundred twenty-five thousand dollars (\$14,725,000) to make capital expenditures for certain senior citizen facility improvements, construction and equipment acquisition projects and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For _____ Against _____";

(2) "The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of library acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed eleven million nineteen thousand dollars (\$11,019,000) to make capital expenditures for academic, public and tribal library acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For _____ Against _____";

(3) "The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of health facility improvement bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed fifty-seven million nine hundred twenty-five thousand dollars (\$57,925,000) to make capital expenditures for cancer research and treatment facilities, other statewide and regional health facilities, educational facilities for statewide dental services and public health and behavioral health facilities and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For _____ Against _____"; and

(4) "The 2008 Capital Projects General Obligation Bond Act authorizes the issuance and sale of higher educational and special schools capital improvement and acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed one hundred forty million one hundred thirty-three thousand dollars (\$140,133,000) to make capital expenditures for certain higher educational and special schools capital improvements and acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For _____ Against _____".

C. Each question set forth in this section includes a specific work or object to be financed by the bonds. If any such question is not approved by a majority vote of the electorate at the state's 2008 general election, the issuance of bonds for the work or object specified by the question shall be excluded from and shall not be part of the 2008 Capital Projects General Obligation Bond Act. The failure of a question to be approved by the electorate at the 2008 general election shall not affect those questions that are approved at the election.

D. The secretary of state shall include the submission of the capital projects general obligation bonds to the people at the 2008 general election, and it shall be included in the general election proclamation of each of the county clerks. The secretary of state shall cause the 2008 Capital Projects General Obligation Bond Act to be published in full in at least one newspaper in each county of the state if one be published therein, once each week, for four successive weeks next preceding the general election as required by the constitution of New Mexico.

Chapter 80 Section 12 Laws 2008

Section 12. ART IN PUBLIC PLACES.--Pursuant to Section 13-4A-4 NMSA 1978 and where applicable, the appropriations authorized in the 2008 Capital Projects General Obligation Bond Act include money for the art in public places fund.

Chapter 80 Section 13 Laws 2008

Section 13. PROJECT SCOPE--EXPENDITURES--REVERSION.--

A. If an appropriation for a project authorized in the 2008 Capital Projects General Obligation Bond Act is not sufficient to complete all the purposes specified, the appropriation may be expended for any portion of the purposes specified in the appropriation. Expenditures shall not be made for purposes other than those specified in the appropriation.

B. The state agencies and state institutions to which money has been appropriated in the 2008 Capital Projects General Obligation Bond Act shall be responsible for monitoring the projects funded in that act to ensure compliance with the constitution and laws of New Mexico and shall cause to be reverted any unexpended or unencumbered balance remaining at the earlier of the third full fiscal year after issuance of the bonds or the termination or completion of the specific project. Reverted funds shall be deposited in the debt service fund established by the state treasurer for the purpose of paying the principal of and interest on the state's general obligation bonds.

Chapter 80 Section 14 Laws 2008

Section 14. SEVERABILITY.--If any part or application of the 2008 Capital Projects General Obligation Bond Act is held invalid, the remainder or its application to other situations or persons shall not be affected.

Chapter 80 Section 15 Laws 2008

Section 15. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

SFC/Senate Bill 333, with emergency clause

Approved March 3, 2008

LAWS 2008, CHAPTER 81

AN ACT

RELATING TO CAPITAL OUTLAY; REVERTING CERTAIN CAPITAL OUTLAY APPROPRIATIONS TO THE TRIBAL INFRASTRUCTURE PROJECT FUND; AMENDING LAWS 2006, CHAPTER 111, SECTION 76 and Laws 2007, Chapter 2, Section 1.

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

Chapter 81 Section 1 Laws 2008

Section 1. Laws 2006, Chapter 111, Section 76 is amended to read:

"Section 76. REVERSIONS OF CERTAIN APPROPRIATIONS FOR INDIAN PROJECTS.--The unexpended balance, as defined in Subsection D of Section 2 of this act, of an appropriation made from the general fund to the Indian affairs department or to the aging and long-term services department for projects located on lands of an Indian nation, tribe or pueblo, including projects that have been reauthorized, shall revert in the time frame set forth in Subsection A of Section 2 of this act to the tribal infrastructure project fund."

Chapter 81 Section 2 Laws 2008

Section 2. Laws 2007, Chapter 2, Section 1 is amended to read:

"Section 1. GENERAL FUND APPROPRIATIONS--LIMITATIONS--REVERSIONS.--

A. Except as otherwise provided in this section or another section of this act, the unexpended balance of an appropriation made in this act from the general fund shall revert to the originating fund as follows:

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

(2) for projects for which appropriations were made to purchase vehicles, emergency vehicles or other vehicles that require special equipment, heavy equipment, educational technology or equipment or furniture that is not related to a more inclusive construction or renovation project, at the end of the fiscal year two years following the fiscal year in which the appropriation was made for the purchase; and

(3) for all other projects for which appropriations were made, within six months of completion of the project, but no later than the end of fiscal year 2011.

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

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

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

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

Chapter 81 Section 3 Laws 2008

Section 3. A new section of the Tribal Infrastructure Act is enacted to read:

"TRIBAL CAPITAL OUTLAY REVERSIONS.--

A. The unexpended balances of a capital outlay appropriation made after January 1, 2007 from the general fund to the department or to the aging and long-term services department for projects located on lands of an Indian nation, tribe or pueblo shall revert to the project fund.

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

Chapter 81 Section 4 Laws 2008

Section 4. TEMPORARY PROVISION--RECOMPILATION INSTRUCTION.--The compiler shall recompile Sections 9-21-17 through 9-21-24 NMSA 1978 (being Laws 2005, Chapter 146, Sections 1 through 8, as amended) as a part of Chapter 6, Article 29 NMSA 1978.

Senate Bill 18, as amended

Approved March 3, 2008

LAWS 2008, CHAPTER 82

AN ACT

RELATING TO LIQUOR EXCISE TAX; ADJUSTING THE DEFINITION OF "SMALL WINER OR WINEGROWER"; CLARIFYING TAXATION ON CERTAIN WINE

TRANSFERS; PROVIDING FOR PAYMENT OF TAX BY A WHOLESALER WHEN A WHOLESALER DISTRIBUTES WINE PRODUCED BY A NEW MEXICO WINERY.

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

Chapter 82 Section 1 Laws 2008

Section 1. Section 7-17-2 NMSA 1978 (being Laws 1966, Chapter 49, Section 2, as amended) is amended to read:

"7-17-2. DEFINITIONS.--As used in the Liquor Excise Tax Act:

A. "alcoholic beverages" means distilled or rectified spirits, potable alcohol, brandy, whiskey, rum, gin, aromatic bitters or any similar beverage, including blended or fermented beverages, dilutions or mixtures of one or more of the foregoing containing more than one-half of one percent alcohol by volume, but "alcoholic beverages" does not include medicinal bitters;

B. "beer" means an alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt and hops or other cereals in water and includes porter, beer, ale and stout;

C. "cider" means an alcoholic beverage made from the normal alcoholic fermentation of the juice of sound, ripe apples that contains not less than one-half of one percent of alcohol by volume and not more than seven percent of alcohol by volume;

D. "department" means the taxation and revenue department, the secretary of taxation and revenue or any employee of the department exercising authority lawfully delegated to that employee by the secretary;

E. "fortified wine" means wine containing more than fourteen percent alcohol by volume when bottled or packaged by the manufacturer, but "fortified wine" does not include:

(1) wine that is sealed or capped by cork closure and aged two years or more;

(2) wine that contains more than fourteen percent alcohol by volume solely as a result of the natural fermentation process and that has not been produced with the addition of wine spirits, brandy or alcohol; or

(3) vermouth and sherry;

F. "microbrewer" means a person who produces fewer than five thousand barrels of beer in a year;

G. "person" includes, to the extent permitted by law, a federal, state or other governmental unit or subdivision or an agency, department, institution or instrumentality thereof;

H. "small winegrower" means a winegrower who produces fewer than nine hundred fifty thousand liters of wine in a year;

I. "spirituous liquor" means alcoholic beverages, except fermented beverages such as wine, beer, cider and ale;

J. "wholesaler" means a person holding a license issued under Section 60-6A-1 NMSA 1978 or a person selling alcoholic beverages that were not purchased from a person holding a license issued under Section 60-6A-1 NMSA 1978;

K. "wine" means an alcoholic beverage other than cider that is obtained by the fermentation of the natural sugar contained in fruit or other agricultural products, with or without the addition of sugar or other products, and that does not contain more than twenty-one percent alcohol by volume; and

L. "winegrower" means a person licensed pursuant to Section 60-6A-11 NMSA 1978."

Chapter 82 Section 2 Laws 2008

Section 2. Section 7-17-5 NMSA 1978 (being Laws 1993, Chapter 65, Section 8, as amended) is amended to read:

"7-17-5. IMPOSITION AND RATE OF LIQUOR EXCISE TAX.--

A. There is imposed on a wholesaler who sells alcoholic beverages on which the tax imposed by this section has not been paid an excise tax, to be referred to as the "liquor excise tax", at the following rates on alcoholic beverages sold:

(1) on spirituous liquors, one dollar sixty cents (\$1.60) per liter;

(2) on beer, except as provided in Paragraph

(5) of this subsection, forty-one cents (\$.41) per gallon;

(3) on wine, except as provided in Paragraphs (4) and (6) of this subsection, forty-five cents (\$.45) per liter;

(4) on fortified wine, one dollar fifty cents (\$1.50) per liter;

(5) on beer manufactured or produced by a microbrewer and sold in this state, provided that proof is furnished to the department that the beer was manufactured or produced by a microbrewer, eight cents (\$.08) per gallon;

(6) on wine manufactured or produced by a small winegrower and sold in this state, provided that proof is furnished to the department that the wine was manufactured or produced by a small winegrower, ten cents (\$.10) per liter on the first eighty thousand liters sold and twenty cents (\$.20) per liter on all liters sold over eighty thousand liters but less than nine hundred fifty thousand liters; and

(7) on cider, forty-one cents (\$.41) per gallon.

B. The volume of wine transferred from one winegrower to another winegrower for processing, bottling or storage and subsequent return to the transferor shall be excluded pursuant to Section 7-17-6 NMSA 1978 from the taxable volume of wine of the transferee. Wine transferred from an initial winegrower to a second winegrower remains a tax liability of the transferor, provided that if the wine is transferred to the transferee for the transferee's use or for resale, the transferee then assumes the liability for the tax due pursuant to this section.

C. A transfer of wine from a winegrower to a wholesaler for distribution of the wine transfers the liability for payment of the liquor excise tax to the wholesaler upon the sale of the wine by the wholesaler."

Chapter 82 Section 3 Laws 2008

Section 3. Section 7-17-6 NMSA 1978 (being Laws 1984, Chapter 85, Section 4, as amended) is amended to read:

"7-17-6. DEDUCTION--INTERSTATE SALES--
WINEGROWER-TO-WINEGROWER TRANSFERS.--

A. A wholesaler may deduct the liters of spirituous liquors, gallons of beer and liters of wine sold and shipped to a person in another state from the units of alcoholic beverages subject to the tax imposed by the Liquor Excise Tax Act; provided that the department may require the wholesaler to submit evidence satisfactory to the department that the units have been sold and shipped to a person in another state.

B. A winegrower may deduct the liters of wine transferred to the winegrower from another winegrower for processing, bottling or storage and subsequent return to the transferor from the units of wine subject to the liquor excise tax on the licensed premises of the winegrower."

Chapter 82 Section 4 Laws 2008

Section 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

Senate Bill 43

Approved March 3, 2008

LAWS 2008, CHAPTER 83

AN ACT

RELATING TO EXPENDITURE OF PUBLIC MONEY; REAUTHORIZING OR REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES, EXTENDING EXPENDITURE PERIODS, CHANGING AGENCIES AND ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED BALANCES OF APPROPRIATIONS MADE BY THE LEGISLATURE IN PRIOR YEARS; DECLARING AN EMERGENCY.

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

Chapter 83 Section 1 Laws 2008

Section 1. SEVERANCE TAX BONDS--REVERSION OF PROCEEDS.--

A. Except as otherwise provided in another section of this act:

(1) the unexpended balance from the proceeds of severance tax bonds issued for a project that has been reauthorized in this act shall revert to the severance tax bonding fund:

(a) at the end of the expenditure period as set forth in this act, if the expenditure period is changed in this act; or

(b) if the expenditure period is not changed in this act, pursuant to the time frame set forth in the law that originally authorized the severance tax bonds or the time frame set forth in any law that has previously reauthorized the expenditure of the proceeds, whichever is later; and

(2) all remaining balances from the proceeds of severance tax bonds issued for a project that has been reauthorized in this act shall revert to the severance tax bonding fund three months after the reversion date for the unexpended balances whether or not any of the remaining balances are subject to a contractual obligation to third parties.

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

Chapter 83 Section 2 Laws 2008

Section 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS-- REVERSIONS.--

A. Except as otherwise provided in another section of this act:

(1) the unexpended balance of an appropriation from the general fund or other state fund that has been changed in this act shall revert:

(a) at the end of the expenditure period as set forth in this act, if the expenditure period is changed in this act; or

(b) if the expenditure period is not changed in this act, pursuant to the time frame set forth in the law in which the original appropriation was made or the time frame set forth in any law that has previously changed the appropriation, whichever is later; and

(2) all remaining balances of an appropriation from the general fund or other state fund that has been changed in this act shall revert three months after the reversion date for the unexpended balance whether or not any of the remaining balances are subject to a contractual obligation to third parties.

B. Except as provided in Subsection D of this section, the balance of an appropriation made from the general fund shall revert pursuant to Subsection A of this section to the capital projects fund.

C. Except as provided in Subsection D of this section, the balance of an appropriation made from other state funds shall revert pursuant to Subsection A of this section to the originating fund.

D. The balance of an appropriation made from the general fund or other state fund to the Indian affairs department or the aging and long-term services department for a project located on lands of an Indian nation, tribe or pueblo shall revert pursuant to Subsection A of this section to the tribal infrastructure project fund.

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

Chapter 83 Section 3 Laws 2008

Section 3. ALBUQUERQUE AT-RISK YOUTH FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 66 of Section 22 of Chapter 429 of Laws 2003 to renovate a facility for at- risk youth at 1710 Centro Familiar SW in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 4 Laws 2008

Section 4. NORTH VALLEY LITTLE LEAGUE SITE AT OUR LADY OF GUADALUPE CHURCH--CHANGE TO LAND AT VISTA DEL NORTE--GENERAL FUND.--Two hundred twenty-five thousand dollars (\$225,000) of the unexpended balance of the appropriation to the local government division in Subsection 97 of Section 52 of Chapter 111 of Laws 2006 for land and fields for the North Valley little league at a site owned by Our Lady of Guadalupe church shall not be expended for the original purpose but is changed to purchase land at Vista del Norte for a balloon landing site in Bernalillo county.

Chapter 83 Section 5 Laws 2008

Section 5. NORTH STAR ELEMENTARY SCHOOL MULTIPURPOSE ROOM--CHANGE TO ALTAMONT LITTLE LEAGUE SITE IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 53 of Section 26 of Chapter 2 of Laws 2007 for a multipurpose room at North Star elementary school in the Albuquerque public school district shall not be expended for the original purpose but is changed to plan, design and construct site improvements at the Altamont little league site in Bernalillo county.

Chapter 83 Section 6 Laws 2008

Section 6. NORTH STAR COMMUNITY CENTER MULTIPURPOSE ROOM--CHANGE TO ALTAMONT LITTLE LEAGUE SITE IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 37 of Section 68 of Chapter 42 of Laws 2007 for a multipurpose room at the community center adjacent to North Star elementary school in Bernalillo county shall not be expended for the original purpose but is changed to plan, design and construct site improvements at the Altamont little league site in that county.

Chapter 83 Section 7 Laws 2008

Section 7. AMISTAD CRISIS SHELTER--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project originally authorized in Subsection 60 of Section 22 of Chapter 429 of Laws 2003 and reauthorized in Laws 2006, Chapter 107, Section 7 for renovating and constructing facilities for the Amistad crisis shelter in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 8 Laws 2008

Section 8. BERNALILLO COUNTY MAGNETIC RESONANCE IMAGING EQUIPMENT--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the department of health in Subsection 1 of Section 65 of Chapter 42 of Laws 2007 for purchasing magnetic resonance imaging equipment for Bernalillo county is appropriated to the board of regents of the university of New Mexico for that purpose.

Chapter 83 Section 9 Laws 2008

Section 9. BERNALILLO COUNTY RE-ENTRY TRANSITIONAL LIVING FACILITY--CHANGE TO TRANSITIONAL FACILITY FOR WOMEN WITH CHILDREN RECOVERING FROM SUBSTANCE ABUSE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 31 of Section 68 of Chapter 42 of Laws 2007 for a transitional living facility for men and women leaving the correctional system in Bernalillo county shall not be expended for the original purpose but is changed to plan a transitional living facility for women with children recovering from substance abuse in that county.

Chapter 83 Section 10 Laws 2008

Section 10. ALBUQUERQUE BALLET FOLKLORICO DANCE CONSERVATORY--CHANGE TO RAPE CRISIS CENTER OF CENTRAL NEW MEXICO--GENERAL FUND.--Two hundred thousand dollars (\$200,000) of the unexpended balance of the appropriation to the local government division in Subsection 69 of Section 68 of Chapter 42 of Laws 2007 for a facility for a dance academy and ballet folklorico conservatory in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to purchase, construct, renovate and equip a rape crisis center of central New Mexico in Bernalillo county.

Chapter 83 Section 11 Laws 2008

Section 11. BERNALILLO COUNTY FACILITY FOR AT-RISK YOUTH--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 23 of Section 22 of Chapter 429 of Laws 2003 for renovating the at-risk youth facility in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 12 Laws 2008

Section 12. CARNUE LAND GRANT BUSINESS INCUBATOR CONSTRUCT--CHANGE TO COMMUNITY BUILDING IMPROVE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 3 of Section 18 of Chapter 111 of Laws 2006 for constructing a business incubator for the Carnue land grant community in Bernalillo county shall not be expended for the

original purpose but is changed to acquire property, easements and rights of way for and to plan, design, construct, improve, equip and furnish the land grant community building, including paving and landscaping, in that community.

Chapter 83 Section 13 Laws 2008

Section 13. CARNUE LAND GRANT COMMERCIAL DEVELOPMENT CENTER INFRASTRUCTURE--EXPAND TO INCLUDE PURCHASING--SEVERANCE TAX BONDS.--The local government division project in Subsection 67 of Section 18 of Chapter 111 of Laws 2006 to plan, design, construct and equip infrastructure for the commercial development center for the Carnue land grant community in Bernalillo county may include purchasing.

Chapter 83 Section 14 Laws 2008

Section 14. CARNUEL MUTUAL DOMESTIC WATER WELL AND STORAGE TANK--CHANGE PURPOSE FOR WATER SYSTEM IMPROVEMENTS--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 51 of Section 14 of Chapter 429 of Laws 2003 for a water well and water storage tank for the Carnuel mutual domestic water and wastewater consumers association in Bernalillo county shall not be expended for the original purpose but is changed to plan, design and construct water system improvements for that association.

Chapter 83 Section 15 Laws 2008

Section 15. CARNUEL MUTUAL DOMESTIC WATER AND WASTEWATER CONSUMERS ASSOCIATION FOUNDATION AND STORAGE TANK--CHANGE TO WATER SYSTEM IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the department of environment in Subsection 3 of Section 132 of Chapter 126 of Laws 2004 for a foundation and water storage tank for the Carnuel mutual domestic water and wastewater consumers association in Bernalillo county shall not be expended for the original purpose but is changed to plan, design and construct water system improvements for that association.

Chapter 83 Section 16 Laws 2008

Section 16. JUAN TOMAS AND BARTON ROADS PAVE FOR ECONOMIC DEVELOPMENT IN SANTA FE AND TORRANCE COUNTIES--CHANGE TO PAVE FOR ECONOMIC DEVELOPMENT OPPORTUNITIES IN BERNALILLO COUNTY--GENERAL FUND.--The unexpended balance of the appropriation for the department of transportation project originally authorized in Subsection 2 of Section 38 of Chapter 111 of Laws 2006 and reauthorized in Subsection E of Section 207 of Chapter 341 of Laws 2007 for paving Juan Tomas road in Torrance county and Barton road in Santa Fe county for economic development in those counties shall not be expended for the

original or reauthorized purpose but is changed to pave Juan Tomas and Barton roads in Bernalillo county to provide economic development opportunities in that county.

Chapter 83 Section 17 Laws 2008

Section 17. LOBO LITTLE LEAGUE BATTING CAGE AND STORAGE FACILITY--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 9 of Section 26 of Chapter 2 of Laws 2007 for constructing a batting cage and storage facility for the Lobo little league in Bernalillo county may include planning, designing, constructing and equipping a concession stand and purchasing a field utility cart.

Chapter 83 Section 18 Laws 2008

Section 18. PIEDRAS MARCADAS PARK IMPROVEMENTS--CHANGE TO PARADISE HILLS SENIOR CENTER--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 2 of Section 22 of Chapter 429 of Laws 2003 for improvements to the Piedras Marcadas park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the aging and long-term services department to plan, design, construct, purchase and equip a senior activities center in Paradise Hills in Bernalillo county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 19 Laws 2008

Section 19. SOUTH VALLEY MULTIPURPOSE FAMILY SERVICE CENTER CONSTRUCT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 632 of Section 22 of Chapter 429 of Laws 2003 for constructing and equipping a multipurpose family service center in the south valley area of Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 20 Laws 2008

Section 20. AFRICAN AMERICAN ARTS EXHIBIT HALL CONSTRUCT--EXTEND TIME--CAPITAL PROJECTS FUND.--The time of expenditure for the state fair commission project originally authorized in Paragraph 1 of Subsection E of Section 39 of Chapter 429 of Laws 2003 and reauthorized in Laws 2004, Chapter 126, Section 103 for the design, construction and equipping of the African American performing and cultural arts exhibit hall in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 21 Laws 2008

Section 21. ALBUQUERQUE BALLET FOLKLORICO CONSERVATORY--CHANGE TO CHILDREN'S DANCE PROGRAM--GENERAL FUND.--One hundred thousand dollars (\$100,000) of the unexpended balance of the appropriation to the local government division in Subsection 69 of Section 68 of Chapter 42 of Laws 2007 for a facility for a dance academy and ballet folklorico conservatory in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct and equip a dance facility for use by a children's dance program providing in-school,

after-school and weekend activities in Bernalillo county.

Chapter 83 Section 22 Laws 2008

Section 22. SECOND JUDICIAL DISTRICT COURT MONITORING EQUIPMENT--CHANGE TO AFRICAN AMERICAN PERFORMING ARTS CENTER AND EXHIBIT HALL EQUIP--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 31 of Section 45 of Chapter 347 of Laws 2005 and reauthorized in Laws 2006, Chapter 107, Section 12 for monitoring and tracking equipment for the second judicial district court shall not be expended for the original or reauthorized purpose but is appropriated to the state fair commission to purchase and install artwork, exhibits and display equipment at the African American performing arts center and exhibit hall at the state fairgrounds in Albuquerque in Bernalillo county. The time of the expenditure is extended through fiscal year 2010.

Chapter 83 Section 23 Laws 2008

Section 23. ALBUQUERQUE BALLOON FIESTA PARK PROPERTY ACQUIRE--CHANGE TO BRIDGE OVER NORTH DIVERSION CHANNEL--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 56 of Section 68 of Chapter 42 of Laws 2007 for purchasing property for Balloon Fiesta park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design and construct a bridge over the north diversion channel at that park.

Chapter 83 Section 24 Laws 2008

Section 24. ALBUQUERQUE BALLOON FIESTA PARK IMPROVEMENTS--CHANGE TO BRIDGE OVER NORTH DIVERSION CHANNEL--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 54 of Section 68 of Chapter 42 of Laws 2007 for improvements at Balloon Fiesta park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design and construct a bridge over the north diversion channel at that park.

Chapter 83 Section 25 Laws 2008

Section 25. ALBUQUERQUE BALLOON FIESTA PARK POWERLINES--CHANGE PURPOSE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 55 of Section 68 of Chapter 42 of Laws 2007 for constructing powerlines at Balloon Fiesta park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct a freeway on the ramp from the Balloon Fiesta parkway to interstate 25 in Bernalillo county.

Chapter 83 Section 26 Laws 2008

Section 26. ALBUQUERQUE BALLOON FIESTA PARK PUBLIC SAFETY POST--CHANGE TO RAMP TO INTERSTATE 25 FROM BALLOON FIESTA PARKWAY--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 57 of Section 68 of Chapter 42 of Laws 2007 for a public safety command post at Balloon Fiesta park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct a freeway access ramp from Balloon Fiesta parkway to interstate 25 in Albuquerque.

Chapter 83 Section 27 Laws 2008

Section 27. ALBUQUERQUE BALLOON FIESTA PARK BATHROOMS AND INFRASTRUCTURE--CHANGE TO RAIL RUNNER SPUR AND STATION--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 53 of Section 68 of Chapter 42 of Laws 2007 for bathrooms and infrastructure improvements at the Balloon Fiesta park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct a rail runner spur and station at Balloon Fiesta park.

Chapter 83 Section 28 Laws 2008

Section 28. ALBUQUERQUE BALLET FOLKLORICO CONSERVATORY--CHANGE TO DANCE FACILITY FOR LOW-INCOME YOUTH--GENERAL FUND.--Thirty thousand dollars (\$30,000) of the unexpended balance of the appropriation to the local government division in Subsection 69 of Section 68 of Chapter 42 of Laws 2007 for a facility for a dance academy and ballet folklorico conservatory in Albuquerque shall not be expended for the original purpose but is changed to acquire land for, plan, design, construct, purchase, renovate, equip and furnish a building for use by a modern dance organization serving low-income, disabled and incarcerated youth and adults in Albuquerque in Bernalillo county.

Chapter 83 Section 29 Laws 2008

Section 29. ALBUQUERQUE BALLET FOLKLORICO CONSERVATORY--CHANGE TO LOW-INCOME DANCE FACILITY--GENERAL FUND.--Forty thousand dollars (\$40,000) of the unexpended balance of the appropriation to the local government division in Subsection 69 of Section 68 of Chapter 42 of Laws 2007 for a facility for a dance academy and ballet folklorico conservatory in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to acquire land for, plan, design, construct, purchase, renovate, equip and furnish a building for use by a modern dance organization serving low-income, disabled and incarcerated youth and adults in Albuquerque in Bernalillo county.

Chapter 83 Section 30 Laws 2008

Section 30. ALBUQUERQUE BALLET FOLKLORICO CONSERVATORY--CHANGE TO LOW-INCOME DANCE FACILITY--GENERAL FUND.--Twenty thousand dollars (\$20,000) of the unexpended balance of the appropriation to the local government division in Subsection 69 of Section 68 of Chapter 42 of Laws 2007 for a facility for a dance academy and ballet folklorico conservatory in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to acquire land for, plan, design, construct, purchase, renovate, equip and furnish a building for use by a modern dance organization serving low-income, disabled and incarcerated youth and adults in Albuquerque in Bernalillo county.

Chapter 83 Section 31 Laws 2008

Section 31. ALBUQUERQUE DISABLED PROGRAM VEHICLES AND EQUIPMENT--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the vocational rehabilitation division in Subsection 1 of Section 41 of Chapter 111 of Laws 2006 for vehicles and equipment for use by an organization providing employment and residential services to persons with disabilities in Albuquerque in Bernalillo county is appropriated to the department of transportation for that purpose. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 32 Laws 2008

Section 32. ALBUQUERQUE DISABLED PROGRAM VEHICLES AND EQUIPMENT--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the vocational rehabilitation division in Laws 2006, Chapter 111, Section 9 for vehicles and equipment for use by an organization providing employment and residential services to persons with disabilities in Albuquerque in Bernalillo county is appropriated to the department of transportation for that purpose. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 33 Laws 2008

Section 33. ALBUQUERQUE INDIAN SCHOOL IMPROVEMENTS--CHANGE TO INDIAN SCHOOL ROAD IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 43 of Section 75 of Chapter 42 of Laws 2007 for road improvements at the Albuquerque Indian school shall not be expended for the original purpose but is changed to plan, design and construct road, streetscape and landscape improvements, including bus stops, curbs, sidewalks and roundabouts, at Indian school road in Albuquerque in Bernalillo county.

Chapter 83 Section 34 Laws 2008

Section 34. NORTH VALLEY LITTLE LEAGUE SITE AT OUR LADY OF GUADALUPE CHURCH--CHANGE TO PLAYGROUND EQUIPMENT AT JADE PARK--GENERAL FUND.--Twenty-five thousand dollars (\$25,000) of the unexpended balance of the appropriation to the local government division in Subsection 97 of Section 52 of Chapter 111 of Laws 2006 for land and fields for the North Valley little league at a site owned by Our Lady of Guadalupe church shall not be expended for the original purpose but is changed to plan, design, construct, refurbish, purchase and install playground equipment at Jade park in Albuquerque in Bernalillo county.

Chapter 83 Section 35 Laws 2008

Section 35. NORTH VALLEY LITTLE LEAGUE SITE AT OUR LADY OF GUADALUPE CHURCH--CHANGE TO PLAYGROUND EQUIPMENT AT JADE PARK--SEVERANCE TAX BONDS.--One hundred thousand dollars (\$100,000) of the unexpended balance of the appropriation to the local government division in Subsection 68 of Section 18 of Chapter 111 of Laws 2006 for land and fields for the North Valley little league at a site owned by Our Lady of Guadalupe church shall not be expended for the original purpose but is changed to plan, design, construct, refurbish, purchase and install playground equipment at Jade park in Albuquerque in Bernalillo county.

Chapter 83 Section 36 Laws 2008

Section 36. NORTH VALLEY LITTLE LEAGUE LAND AND FACILITIES--CHANGE TO LOS GRIEGOS LIBRARY IMPROVEMENTS--SEVERANCE TAX BONDS.--One hundred thousand dollars (\$100,000) of the unexpended balance of the appropriation to the local government division in Subsection 68 of Section 18 of Chapter 111 of Laws 2006 for land and facilities for the North Valley little league shall not be expended for the original purpose but is changed to plan, design, construct, purchase and install improvements, including lighting, furnishings and equipment, at Los Griegos library in Albuquerque in Bernalillo county.

Chapter 83 Section 37 Laws 2008

Section 37. ALBUQUERQUE DANCE ORGANIZATION VEHICLES PURCHASE--CHANGE TO FACILITY RENOVATE--GENERAL FUND.--The

unexpended balance of the appropriation to the local government division in Subsection 68 of Section 68 of Chapter 42 of Laws 2007 for purchasing vehicles for use by a dance organization serving low-income, disabled and incarcerated youth and adults in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct, renovate, purchase and equip a facility for that organization.

Chapter 83 Section 38 Laws 2008

Section 38. NORTH VALLEY LITTLE LEAGUE SITE AT OUR LADY OF GUADALUPE CHURCH--CHANGE TO MARTINEZTOWN WALKWAY--GENERAL FUND.--One hundred seventy-five thousand dollars (\$175,000) of the unexpended balance of the appropriation to the local government division in Subsection 97 of Section 52 of Chapter 111 of Laws 2006 for land and fields for the North Valley little league at a site owned by Our Lady of Guadalupe church shall not be expended for the original purpose but is changed to plan, design and construct improvements to the Martineztown park and walkway in Albuquerque in Bernalillo county.

Chapter 83 Section 39 Laws 2008

Section 39. ALBUQUERQUE PUBLIC SCHOOL DISTRICT AND STATE LAND OFFICE LANDFILL REUSE AND RENEWABLE ENERGY PROJECT--CHANGE TO IMPROVEMENTS FOR MILE HIGH LITTLE LEAGUE IN ALBUQUERQUE--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 2 of Section 13 of Chapter 111 of Laws 2006 for a landfill reuse and renewable energy project shall not be expended for the original purpose but is appropriated to the local government division for improvements to the Mile High little league fields in Albuquerque in Bernalillo county.

Chapter 83 Section 40 Laws 2008

Section 40. UNIVERSITY OF NEW MEXICO MEDIA ARTS SOUND STUDIO--CHANGE TO PHIL CHACON PARK SHADE STRUCTURE--CHANGE AGENCY--EXTEND TIME--CAPITAL PROJECTS FUND.--The unexpended balance of the appropriation to the board of regents of the university of New Mexico in Paragraph (8) of Subsection G of Section 137 of Chapter 126 of Laws 2004 for a sound studio for the media arts program at the university of New Mexico shall not be expended for the original purpose but is appropriated to the local government division to purchase and install a shade structure at Phil Chacon park in the Trumbull neighborhood in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 41 Laws 2008

Section 41. MESA VERDE COMMUNITY CENTER--CHANGE TO PHIL CHACON PARK SHADE STRUCTURE--EXTEND TIME--SEVERANCE TAX BONDS.--

The unexpended balance of the appropriation to the local government division in Subsection 604 of Section 22 of Chapter 429 of Laws 2003 for the Mesa Verde community center in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to purchase and install a shade structure at Phil Chacon park in the Trumbull neighborhood in Albuquerque. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 42 Laws 2008

Section 42. ZUNI ROAD STREETLIGHTS--CHANGE TO PHIL CHACON SOCCER FIELD LIGHTS--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of transportation in Subsection 61 of Section 20 of Chapter 347 of Laws 2005 for streetlights on Zuni road in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the local government division to purchase and install soccer field lights in Phil Chacon park in the Trumbull neighborhood of Albuquerque. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 43 Laws 2008

Section 43. ALBUQUERQUE STATE LABORATORY SERVICES BUILDING PLAN--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the capital program fund project in Subsection 1 of Section 24 of Chapter 429 of Laws 2003 for planning and designing the state laboratory services building in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 44 Laws 2008

Section 44. UNIVERSITY OF NEW MEXICO INTERNATIONAL CENTER ADDITION--CHANGE TO ALBUQUERQUE TREE PLANTING--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the board of regents of the university of New Mexico in Subsection 21 of Section 83 of Chapter 42 of Laws 2007 for an addition to the international center at the university of New Mexico shall not be expended for the original purpose but is appropriated to the local government division to plant trees on city-owned land, medians and roadways in Albuquerque in Bernalillo county.

Chapter 83 Section 45 Laws 2008

Section 45. ALBUQUERQUE-BERNALILLO COUNTY WATER UTILITY AUTHORITY'S SOIL AMENDMENT FACILITY CONSTRUCT--CHANGE TO ALBUQUERQUE SECOND CHANCE PROJECT--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 38 of Section 52 of Chapter 347 of Laws 2005 and reauthorized to the local government division in Laws 2006, Chapter 107, Section 5 to improve the Albuquerque-Bernalillo county water utility authority's soil amendment

facility in Bernalillo county shall not be expended for the original or reauthorized purpose but is appropriated to the department of finance and administration to plan, design, construct and renovate the Second Chance substance abuse and alcohol treatment rehabilitation westside facility in Albuquerque in Bernalillo county.

Chapter 83 Section 46 Laws 2008

Section 46. BEAR CANYON SENIOR CENTER PARKING LOT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the aging and long-term services department project in Subsection 1 of Section 29 of Chapter 429 of Laws 2003 for improvements to the Bear Canyon senior center parking lot in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 47 Laws 2008

Section 47. BEAR CANYON SENIOR CENTER PARKING LOT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the aging and long-term services department project in Subsection 2 of Section 4 of Chapter 429 of Laws 2003 for parking lot and landscaping improvements at Bear Canyon senior center in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 48 Laws 2008

Section 48. GIBSON CORRIDOR FIRE STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 571 of Section 22 of Chapter 429 of Laws 2003 for constructing a fire station to serve the Gibson corridor in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 49 Laws 2008

Section 49. RIDGECREST DRIVE MEDIAN LANDSCAPING--CHANGE TO INDIAN PUEBLO CULTURAL CENTER IMPROVEMENTS--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 68 of Section 22 of Chapter 429 of Laws 2003 for median improvements on Ridgcrest drive in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the Indian affairs department to plan, design, engineer and construct parking lot improvements at the Indian pueblo cultural center in Albuquerque. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 50 Laws 2008

Section 50. JERRY CLINE PARK EQUIP--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project in Subsection 42 of

Section 52 of Chapter 111 of Laws 2006 for equipping and improving Jerry Cline park in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 51 Laws 2008

Section 51. NORTH VALLEY LITTLE LEAGUE SITE AT OUR LADY OF GUADALUPE CHURCH--CHANGE TO MONTANO RAIL RUNNER STOP--CHANGE AGENCY--GENERAL FUND.--Two hundred twenty-five thousand dollars (\$225,000) of the unexpended balance of the appropriation to the local government division in Subsection 97 of Section 52 of Chapter 111 of Laws 2006 for land and fields for the North Valley little league at a site owned by Our Lady of Guadalupe church shall not be expended for the original purpose but is appropriated to the department of transportation to design, purchase, construct and equip the Montano station for the New Mexico rail runner express in Albuquerque in Bernalillo county.

Chapter 83 Section 52 Laws 2008

Section 52. NATIONAL ATOMIC MUSEUM--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 52 of Section 22 of Chapter 429 of Laws 2003 for infrastructure design and installation at the National Atomic museum in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 53 Laws 2008

Section 53. NORTH DOMINGO BACA PARK AND COMMUNITY CENTER IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 431 of Section 22 of Chapter 429 of Laws 2003 for acquiring land for and improving north Domingo Baca park and community center in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 54 Laws 2008

Section 54. PARADISE HILLS CIVIC ASSOCIATION SIGNAGE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 91 of Section 22 of Chapter 429 of Laws 2003 for signage for the Paradise Hills civic association in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 55 Laws 2008

Section 55. PARADISE HILLS COMMUNITY CENTER GYMNASIUM FLOOR REPLACEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 11 of Section 22 of

Chapter 429 of Laws 2003 for replacing the gymnasium floor at the Paradise Hills community center in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 56 Laws 2008

Section 56. PARADISE HILLS LITTLE LEAGUE FIELDS--CHANGE TO SENIOR CENTER--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 10 of Section 22 of Chapter 429 of Laws 2003 for walkways at Paradise Hills little league fields in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the aging and long-term services department to plan, design, construct, purchase and equip a senior activities center in Paradise Hills. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 57 Laws 2008

Section 57. PASEO DEL VOLCAN IMPROVEMENTS--CHANGE TO PARADISE HILLS SENIOR CENTER--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of transportation in Subsection 8 of Section 18 of Chapter 429 of Laws 2003 for improvements on Paseo del Volcan in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the aging and long-term services department to plan, design, construct, purchase and equip a senior activities center in Paradise Hills in that county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 58 Laws 2008

Section 58. PARADISE LITTLE LEAGUE SITE IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 99 of Section 22 of Chapter 429 of Laws 2003 for site improvements for the Paradise Hills little league in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 59 Laws 2008

Section 59. RIO BRAVO BOULEVARD PARK CONSTRUCT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 392 of Section 22 of Chapter 429 of Laws 2003 to construct and develop a county park on Rio Bravo boulevard between Second street and the Rio Grande in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 60 Laws 2008

Section 60. SAWMILL NEIGHBORHOOD MEDIA ARTS CLASSROOM RENOVATIONS--CHANGE TO SAWMILL COMMUNITY CENTER STORYTELLING EQUIPMENT--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 194 of Section 68 of Chapter 42 of Laws 2007 for renovations to the media arts classrooms in the Sawmill neighborhood of Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to purchase storytelling equipment for the Sawmill community center in Albuquerque.

Chapter 83 Section 61 Laws 2008

Section 61. SAWMILL PROPERTY RENOVATION--CHANGE TO STORYTELLING EQUIPMENT AT THE SAWMILL COMMUNITY CENTER--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 84 of Section 18 of Chapter 111 of Laws 2006 to design and renovate the Sawmill property and facility shall not be expended for the original purpose but is changed to purchase storytelling equipment for the Sawmill community center in Albuquerque in Bernalillo county.

Chapter 83 Section 62 Laws 2008

Section 62. HOME FOR DEVELOPMENTALLY DISABLED AND AUTISTIC CHILDREN--CHANGE TO RESPITE AND FAMILY RESOURCE CENTER--GENERAL FUND.--The unexpended balance of the appropriation to the department of health in Subsection 2 of Section 65 of Chapter 42 of Laws 2007 for a facility for developmentally disabled and autistic children in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to acquire a facility, including renovation of the existing facility, for a respite and family resource center for that population in senate district 23.

Chapter 83 Section 63 Laws 2008

Section 63. SOUTHEAST ALBUQUERQUE SMALL BUSINESS INCUBATOR--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 574 of Section 22 of Chapter 429 of Laws 2003 for a small business incubator in southeast Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 64 Laws 2008

Section 64. STATE FAIRGROUNDS IMPROVEMENTS--CHANGE TO NATIONAL JUNIOR ARABIAN HORSE SHOW IMPROVEMENTS--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 182 of Section 68 of Chapter 42 of Laws 2007 for improvements to the New Mexico state fairgrounds for the national junior Arabian horse show in Albuquerque in Bernalillo county shall not be expended for the original purpose

but is appropriated to the state fair commission to plan, design and construct improvements to the state fairgrounds, including expenditures related to the national junior Arabian horse show, in Albuquerque.

Chapter 83 Section 65 Laws 2008

Section 65. UNIVERSITY HEIGHTS NEIGHBORHOOD LANDSCAPE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 21 of Section 22 of Chapter 429 of Laws 2003 for reforestation, irrigation and landscaping in the University Heights neighborhood in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 66 Laws 2008

Section 66. BEN GREINER SOCCER FIELD AND SKY HANG GLIDER PARK TRAIL--CHANGE TO BIOMEDICAL ENGINEERING LAB EQUIPMENT--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 32 of Section 22 of Chapter 429 of Laws 2003 for a trail between Ben Greiner soccer field and Sky Hang glider park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the board of regents of the university of New Mexico for improvements and equipment at the biomedical engineering laboratory at the university of New Mexico. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 67 Laws 2008

Section 67. TENNIS COURT AT NORTH DOMINGO BACA DAM AND ALTAMONT LITTLE LEAGUE SITE--CHANGE TO BIOMEDICAL LAB EQUIPMENT AT THE UNIVERSITY OF NEW MEXICO--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 33 of Section 22 of Chapter 429 of Laws 2003 and reauthorized in Laws 2005, Chapter 347, Section 196 for a tennis court at the north Domingo Baca dam and Altamont little league site in Bernalillo county shall not be expended for the original or reauthorized purpose but is appropriated to the board of regents of the university of New Mexico for improvements and equipment for the biomedical engineering laboratory at the university of New Mexico. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 68 Laws 2008

Section 68. SOUTHEAST ALBUQUERQUE BUSINESS INCUBATOR--CHANGE TO BIOMEDICAL ENGINEERING LAB EQUIPMENT AT THE UNIVERSITY OF NEW MEXICO--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 36 of Section 22 of Chapter 429 of Laws 2003 for the southeast Albuquerque business incubator shall not be expended for the original purpose but is appropriated to the board

of regents of the university of New Mexico for improvements and equipment at the biomedical engineering laboratory at the university of New Mexico in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 69 Laws 2008

Section 69. UNIVERSITY OF NEW MEXICO LEARNING CENTER--EXPAND PURPOSE TO INCLUDE RENOVATIONS AND PURCHASING--SEVERANCE TAX BONDS.--The board of regents of the university of New Mexico project in Subsection 5 of Section 31 of Chapter 42 of Laws 2007 to develop the site for and plan, design, construct, equip and furnish a learning center at the university of New Mexico in Albuquerque in Bernalillo county may also include purchasing and renovating.

Chapter 83 Section 70 Laws 2008

Section 70. ALBUQUERQUE EXTREME SPORTS PARK--CHANGE TO UNIVERSITY OF NEW MEXICO PIT FACILITY--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 39 of Section 22 of Chapter 111 of Laws 2006 and reauthorized in Laws 2007, Chapter 42, Section 98 for constructing an extreme sports park in Albuquerque in Bernalillo county shall not be expended for the original or reauthorized purpose but is appropriated to the board of regents of the university of New Mexico to construct, equip and furnish improvements to the Pit facility in Albuquerque in Bernalillo county.

Chapter 83 Section 71 Laws 2008

Section 71. BLACK PANTHER ARCHIVES--CHANGE TO STUDENT TRANSPORTATION PROJECT AT THE UNIVERSITY OF NEW MEXICO--GENERAL FUND.--The unexpended balance of the appropriation to the board of regents of the university of New Mexico in Subsection 1 of Section 83 of Chapter 42 of Laws 2007 to acquire the archive papers of the Black Panther party shall not be expended for the original purpose but is changed for the student transportation project of the associated students of the university of New Mexico in Albuquerque in Bernalillo county.

Chapter 83 Section 72 Laws 2008

Section 72. ALBUQUERQUE BUSINESS INCUBATOR PROGRAM--CHANGE TO UNIVERSITY OF NEW MEXICO TAMARIND INSTITUTE--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 15 of Section 12 of Chapter 385 of Laws 2003 for a business incubator in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the board of regents of the university of New Mexico to plan, design, construct and equip a center for fine art lithography design, production, conservation and education at the Tamarind institute at the university of

New Mexico in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 73 Laws 2008

Section 73. ALBUQUERQUE BALLET FOLKLORICO CONSERVATORY--CHANGE TO UNIVERSITY OF NEW MEXICO TAMARIND INSTITUTE LITHOGRAPHY CENTER--CHANGE AGENCY--GENERAL FUND.--Five thousand dollars (\$5,000) of the unexpended balance of the appropriation to the local government division in Subsection 69 of Section 68 of Chapter 42 of Laws 2007 for a facility for a dance academy and ballet folklorico conservatory in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the board of regents of the university of New Mexico to plan, design, construct and equip a center for fine art lithography design, production, conservation and education at the Tamarind institute at the university of New Mexico in Albuquerque in Bernalillo county.

Chapter 83 Section 74 Laws 2008

Section 74. ALBUQUERQUE INDIAN CENTER--CHANGE TO UNIVERSITY OF NEW MEXICO WORKS PROGRESS ADMINISTRATION ART COLLECTION IMPROVEMENTS--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 205 of Section 16 of Chapter 347 of Laws 2005 for the Albuquerque Indian center in Bernalillo county shall not be expended for the original purpose but is appropriated to the board of regents of the university of New Mexico for improvements to the university's works progress administration art collection, including cataloging, appraisal and preservation, at the university of New Mexico in Albuquerque in Bernalillo county.

Chapter 83 Section 75 Laws 2008

Section 75. ALBUQUERQUE EXTREME SPORTS PARK--CHANGE TO UNSER MUSEUM--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 80 of Section 68 of Chapter 42 of Laws 2007 for an extreme sports park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct, equip and furnish the Unser museum in Albuquerque.

Chapter 83 Section 76 Laws 2008

Section 76. EL VADITO DE LOS CERRILLOS WATER SYSTEM--CHANGE TO UNSER MUSEUM--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the office of the state engineer in Subsection 14 of Section 42 of Chapter 111 of Laws 2006 for El Vadito de Cerrillos water project in Santa Fe county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct, equip and furnish the Unser museum in Albuquerque in Bernalillo county.

Chapter 83 Section 77 Laws 2008

Section 77. NORTH VALLEY LITTLE LEAGUE SITE AT OUR LADY OF GUADALUPE CHURCH--CHANGE TO VISTA DEL NORTE LAND ACQUISITION--GENERAL FUND.--Two hundred thousand dollars (\$200,000) of the unexpended balance of the appropriation to the local government division in Subsection 97 of Section 52 of Chapter 111 of Laws 2006 for land and fields for the North Valley little league at a site owned by Our Lady of Guadalupe church shall not be expended for the original purpose but is changed to purchase land at Vista del Norte for a balloon fiesta landing site in Albuquerque in Bernalillo county.

Chapter 83 Section 78 Laws 2008

Section 78. WYOMING LIBRARY EQUIP AND FURNISH--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project in Subsection 28 of Section 52 of Chapter 111 of Laws 2006 for equipping and furnishing the Wyoming library in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 79 Laws 2008

Section 79. ALBUQUERQUE YOUTH DEVELOPMENT FACILITY--EXTEND TIME--SEVERANCE TAX.--The time of expenditure for the local government division project originally authorized in Subsection 624 of Section 22 of Chapter 429 of Laws 2003 and reauthorized in Laws 2006, Chapter 107, Section 32 to renovate and construct a facility occupied by youth development in Albuquerque in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 80 Laws 2008

Section 80. SOUTHEAST HEIGHTS BUSINESS INCUBATOR--CHANGE TO ZIA LITTLE LEAGUE FIELD IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 39 of Section 68 of Chapter 42 of Laws 2007 for a business incubator in the southeast heights in Bernalillo county shall not be expended for the original purpose but is changed to improvements to the Zia little league fields in Albuquerque in Bernalillo county.

Chapter 83 Section 81 Laws 2008

Section 81. TWENTY-FIRST CENTURY CHARTER SCHOOL EDUCATIONAL TECHNOLOGY PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 21 of Section 8 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at

Twenty-first Century charter school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 82 Laws 2008

Section 82. ACOMA ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 33 of Section 8 of Chapter 111 of Laws 2006 for educational technology at Acoma elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 83 Laws 2008

Section 83. ALBUQUERQUE HIGH SCHOOL EDUCATIONAL TECHNOLOGY PURCHASE AND INSTALL--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 150 of Section 39 of Chapter 111 of Laws 2006 for purchasing and installing educational technology in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 84 Laws 2008

Section 84. BERNALILLO COUNTY OLYMPIC POWER-LIFTING EQUIPMENT--CHANGE TO IMPROVEMENTS AND EQUIPMENT FOR THE YOUTHBUILD TRADE SCHOOL IN THE ALBUQUERQUE PUBLIC SCHOOL DISTRICT--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 22 of Section 68 of Chapter 42 of Laws 2007 for Olympic power-lifting equipment in Bernalillo county shall not be expended for the original purpose but is appropriated to the public education department to purchase, renovate and equip improvements, including a commons area, site improvements, weight room equipment, cafeteria equipment and a security system, for the Youthbuild trade school in the Albuquerque public school district in Bernalillo county.

Chapter 83 Section 85 Laws 2008

Section 85. BERNALILLO COUNTY OLYMPIC POWER-LIFTING EQUIPMENT--CHANGE TO ALBUQUERQUE PUBLIC SCHOOL DISTRICT YOUTHBUILD TRADE SCHOOL IMPROVEMENTS--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 272 of Section 16 of Chapter 347 of Laws 2005 and reauthorized in Laws 2006, Chapter 107, Section 24 for Olympic power-lifting equipment in Bernalillo county shall not be expended for the original or reauthorized purpose but is appropriated to the public education department to purchase, renovate and equip improvements, including a commons area, site improvements, weight room equipment, cafeteria equipment and a security system, for the Youthbuild trade school

in the Albuquerque public school district in Bernalillo county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 86 Laws 2008

Section 86. BERNALILLO COUNTY OLYMPIC POWER-LIFTING EQUIPMENT--CHANGE TO ALBUQUERQUE PUBLIC SCHOOL DISTRICT YOUTHBUILD TRADE SCHOOL--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 11 of Section 18 of Chapter 111 of Laws 2006 for power- lifting equipment for an Olympic weightlifting program in Bernalillo county shall not be expended for the original purpose but is appropriated to the public education department to purchase, construct, renovate and equip improvements, including a commons area, site improvements, weight room equipment, cafeteria equipment and a security system, for the Youthbuild trade school in the Albuquerque public school district in Bernalillo county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 87 Laws 2008

Section 87. AMY BIEHL CHARTER HIGH SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 149 of Section 39 of Chapter 111 of Laws 2006 for educational technology at Amy Biehl high school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 88 Laws 2008

Section 88. CHAPARRAL ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 51 of Section 8 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at Chaparral elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 89 Laws 2008

Section 89. NUESTROS VALORES CHARTER SCHOOL--CHANGE TO CHAPARRAL ELEMENTARY SCHOOL KINDERGARTEN CLASSROOMS--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the public education department in Subsection 315 of Section 23 of Chapter 429 of Laws 2003 for a facility at Nuestros Valores charter school in the Albuquerque public school district shall not be expended for the original purpose but is changed to plan, design, construct and improve kindergarten classrooms at Chaparral elementary school in that school district. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 90 Laws 2008

Section 90. PAINTED SKY ELEMENTARY SCHOOL TECHNOLOGY--CHANGE TO CHAPPARAL ELEMENTARY SCHOOL KINDERGARTEN CLASSROOMS--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 96 of Section 39 of Chapter 111 of Laws 2006 for technology purchases at Painted Sky elementary school in the Albuquerque public school district in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, improve and construct kindergarten classrooms at Chaparral elementary school in that school district. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 91 Laws 2008

Section 91. CHELWOOD ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 32 of Section 8 of Chapter 111 of Laws 2006 for educational technology at Chelwood elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 92 Laws 2008

Section 92. CIBOLA HIGH SCHOOL RIFLE RANGE--CHANGE TO A TRAINING TRACK--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the public education department in Subsection 6 of Section 23 of Chapter 429 of Laws 2003 for a rifle range at Cibola high school in the Albuquerque public school district in Bernalillo county shall not be expended for the original purpose but is changed to renovate and construct a training track for the ROTC program at Cibola high school. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 93 Laws 2008

Section 93. COLLET PARK ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 36 of Section 8 of Chapter 111 of Laws 2006 for educational technology for Collet Park elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 94 Laws 2008

Section 94. DENNIS CHAVEZ ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 2 of Section 8 of Chapter 111

of Laws 2006 for educational technology at Dennis Chavez elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 95 Laws 2008

Section 95. DESERT RIDGE MIDDLE SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 8 of Section 8 of Chapter 111 of Laws 2006 for educational technology at Desert Ridge middle school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 96 Laws 2008

Section 96. EDWARD GONZALES ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 44 of Section 8 of Chapter 111 of Laws 2006 for purchasing and installing educational technology and library books for Edward Gonzales elementary school in the Albuquerque public school district is extended through fiscal year 2010.

Chapter 83 Section 97 Laws 2008

Section 97. ELDORADO CLUSTER LIBRARIES IMPROVE--CHANGE TO PURCHASING BOOKS--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 80 of Section 55 of Chapter 42 of Laws 2007 for library improvements in the Eldorado cluster in the Albuquerque public school district in Bernalillo county shall not be expended for the original purpose but is changed to purchase books for those libraries.

Chapter 83 Section 98 Laws 2008

Section 98. AMISTAD CRISIS SHELTER--CHANGE TO HAYES MIDDLE SCHOOL LAPTOP COMPUTERS--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 47 of Section 22 of Chapter 429 of Laws 2003 and reauthorized in Laws 2006, Chapter 107, Section 7 for renovating the Amistad crisis shelter in Bernalillo county shall not be expended for the original purpose but is appropriated to the public education department to purchase and install laptop computers, including related equipment, furniture and infrastructure, at Hayes middle school in the Albuquerque public school district in Bernalillo county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 99 Laws 2008

Section 99. HAYES MIDDLE SCHOOL FIELD AND GROUNDS--CHANGE TO STUDENT DROP-OFF CENTER--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the public education department in Subsection 44 of Section 19 of Chapter 347 of Laws 2005 for improvements to the field and grounds at Hayes middle school in the Albuquerque public school district in Bernalillo county shall not be expended for the original purpose but is changed to plan, design and construct a student drop-off center at that school.

Chapter 83 Section 100 Laws 2008

Section 100. HIGHLAND CLUSTER TELEVISION, FILM AND BROADCAST EQUIPMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 25 of Section 39 of Chapter 111 of Laws 2006 for television, film production and broadcast equipment for schools in the Highland cluster in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 101 Laws 2008

Section 101. HIGHLAND AND MANZANO CLUSTER FACULTY MEMBER INCREASE--CHANGE TO HIGHLAND HIGH SCHOOL PART-TIME CONTRACT FACULTY--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 194 of Section 39 of Chapter 111 of Laws 2006 to increase the number of faculty members at the Highland and Manzano clusters shall not be expended for the original purpose but is changed to increase faculty members working on partial part-time contract at the Highland high school cluster in the Albuquerque public school district in Bernalillo county.

Chapter 83 Section 102 Laws 2008

Section 102. HIGHLAND HIGH SCHOOL TENNIS COURTS--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 125 of Section 52 of Chapter 111 of Laws 2006 to plan, design, construct, equip, furnish and repair the tennis courts and facilities at the Highland high school tennis courts in Bernalillo county is appropriated to the public education department for that purpose.

Chapter 83 Section 103 Laws 2008

Section 103. MULTIPURPOSE SHOW AND EVENT TRAILER--CHANGE TO HIGHLAND HIGH SCHOOL TRACK IMPROVEMENTS--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the tourism department in Subsection 3 of Section 74 of Chapter 42 of Laws 2007 for a multipurpose show and events trailer shall not be expended for the original purpose but is appropriated to the public education department to plan, design, construct and

renovate the track and field facility, including bleachers, at Highland high school in the Albuquerque public school district in Bernalillo county.

Chapter 83 Section 104 Laws 2008

Section 104. JIMMY E. CARTER MIDDLE SCHOOL COMPUTER LAB CONSTRUCT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 4 of Section 23 of Chapter 429 of Laws 2003 for a computer lab at Jimmy E. Carter middle school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 105 Laws 2008

Section 105. JOHN ADAMS MIDDLE SCHOOL EDUCATIONAL TECHNOLOGY AND TRACK FIELD--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 26 of Section 8 of Chapter 111 of Laws 2006 for educational technology and a track field at John Adams middle school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 106 Laws 2008

Section 106. LA RESOLANA CHARTER SCHOOL EQUIP AND EDUCATIONAL TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 172 of Section 39 of Chapter 111 of Laws 2006 for equipment and educational technology for La Resolana charter school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 107 Laws 2008

Section 107. LAVALAND ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 47 of Section 8 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at Lavaland elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 108 Laws 2008

Section 108. STATE CAPITOL EXERCISE EQUIPMENT--CHANGE TO LOS PUENTES CHARTER SCHOOL INFORMATION TECHNOLOGY--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the legislative council service in Laws 2006, Chapter 111, Section 51 for exercise

equipment at the state capitol in Santa Fe in Santa Fe county shall not be expended for the original purpose but is appropriated to the public education department to purchase and install information technology, including related equipment, furniture and infrastructure, at Los Puentes charter school in the Albuquerque public school district in Bernalillo county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 109 Laws 2008

Section 109. LOS RANCHOS ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 7 of Section 8 of Chapter 111 of Laws 2006 for educational technology at Los Ranchos elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 110 Laws 2008

Section 110. MANZANO AND HIGHLAND HIGH SCHOOL WEIGHT ROOMS--EXTEND TIME--CAPITAL PROJECTS FUND.--The time of expenditure for the public education department project in Subsection 137 of Section 136 of Chapter 126 of Laws 2004 for improvements and equipment at the Manzano and Highland high school weight rooms in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 111 Laws 2008

Section 111. MARK TWAIN ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 37 of Section 39 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at Mark Twain elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 112 Laws 2008

Section 112. MONTE VISTA ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 28 of Section 39 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at Monte Vista elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 113 Laws 2008

Section 113. MONTESSORI OF THE RIO GRANDE CHARTER SCHOOL--EXPAND PURPOSE--GENERAL FUND.--The public education department project in Subsection 6 of Section 55 of Chapter 42 of Laws 2007 for planning, designing, constructing and renovating a building for the Montessori of the Rio Grande charter school in the Albuquerque public school district in Bernalillo county may include purchasing and installing a building.

Chapter 83 Section 114 Laws 2008

Section 114. MONTEZUMA ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 27 of Section 39 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at Montezuma elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 115 Laws 2008

Section 115. ALBUQUERQUE BALLET FOLKLORICO CONSERVATORY--CHANGE TO NORTH ALBUQUERQUE COOPERATIVE COMMUNITY CHARTER SCHOOL FACILITY--CHANGE AGENCY--GENERAL FUND.--Ten thousand dollars (\$10,000) of the unexpended balance of the appropriation to the local government division in Subsection 69 of Section 68 of Chapter 42 of Laws 2007 for a facility for a dance academy and ballet folklorico conservatory in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the public education department to plan and design a facility for the north Albuquerque cooperative community charter school in the Albuquerque public school district in Bernalillo county.

Chapter 83 Section 116 Laws 2008

Section 116. OSUNA ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 19 of Section 8 of Chapter 111 of Laws 2006 for educational technology at Osuna elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 117 Laws 2008

Section 117. PAINTED SKY ELEMENTARY SCHOOL INFORMATION TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 50 of Section 8 of Chapter 111 of Laws 2006 for purchasing and installing information technology for Painted Sky elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 118 Laws 2008

Section 118. ROBERT F. KENNEDY CHARTER SCHOOL CONSTRUCTION--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The public education department project in Subsection 306 of Section 23 of Chapter 429 of Laws 2003 for purchasing land and constructing a facility for the Robert F. Kennedy charter school in the Albuquerque public school district in Bernalillo county may include purchasing and installing portables at that school. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 119 Laws 2008

Section 119. SANDIA BASE ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME.--The time of expenditure for the public education department project in Subsection 13 of Section 39 of Chapter 111 of Laws 2006 for purchasing and installing educational technology in Sandia Base elementary school in the Albuquerque public school district is extended through fiscal year 2010.

Chapter 83 Section 120 Laws 2008

Section 120. SUSIE R. MARMON ELEMENTARY SCHOOL LIBRARY EQUIP--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 46 of Section 39 of Chapter 111 of Laws 2006 for equipping the library at Susie R. Marmon elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 121 Laws 2008

Section 121. TAFT MIDDLE SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 10 of Section 8 of Chapter 111 of Laws 2006 for educational technology at Taft middle school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 122 Laws 2008

Section 122. TAYLOR MIDDLE SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 45 of Section 8 of Chapter 111 of Laws 2006 for educational technology at Taylor middle school in the Albuquerque public school district is extended through fiscal year 2010.

Chapter 83 Section 123 Laws 2008

Section 123. WEST MESA HIGH SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 27 of Section 8 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at West Mesa high school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 124 Laws 2008

Section 124. WHERRY ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 151 of Section 39 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at Wherry elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 125 Laws 2008

Section 125. WILSON MIDDLE SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 39 of Section 39 of Chapter 111 of Laws 2006 for purchasing and installing educational technology in Wilson middle school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 126 Laws 2008

Section 126. ZIA ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 51 of Section 39 of Chapter 111 of Laws 2006 for purchasing and installing educational technology at Zia elementary school in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2010.

Chapter 83 Section 127 Laws 2008

Section 127. NORTH VALLEY LITTLE LEAGUE LAND AND FACILITIES--CHANGE TO OPEN SPACE LAND PURCHASE IN LOS RANCHOS DE ALBUQUERQUE--SEVERANCE TAX BONDS.--One hundred thousand dollars (\$100,000) of the unexpended balance of the appropriation to the local government division in Subsection 68 of Section 18 of Chapter 111 of Laws 2006 for land and facilities for the North Valley little league shall not be expended for the original purpose but is changed to purchase land adjacent to Los Poblanos fields to be designated as public land for open space in Los Ranchos de Albuquerque in Bernalillo county.

Chapter 83 Section 128 Laws 2008

Section 128. LOS VECINOS COMMUNITY CENTER LAND ACQUIRE--CHANGE TO IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 29 of Section 22 of Chapter 429 of Laws 2003 for acquiring land for Los Vecinos community center in Tijeras in Bernalillo county shall not be expended for the original purpose but is changed to plan, design and construct site improvements at that center. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 129 Laws 2008

Section 129. CATRON COUNTY AMBULANCES--EXPAND PURPOSE TO INCLUDE EQUIPMENT--GENERAL FUND.--The local government division project in Subsection 207 of Section 68 of Chapter 42 of Laws 2007 to purchase ambulances for Catron county may include equipment.

Chapter 83 Section 130 Laws 2008

Section 130. CHAVES COUNTY EMERGENCY VEHICLE EQUIPMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project in Subsection 186 of Section 52 of Chapter 111 of Laws 2006 to purchase electric lines and radio communications equipment for emergency vehicles in Chaves county is extended through fiscal year 2010.

Chapter 83 Section 131 Laws 2008

Section 131. CHAVES COUNTY VISITORS' CENTER--CHANGE TO FISK BUILDING COMPLEX IMPROVE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 194 of Section 52 of Chapter 111 of Laws 2006 and reauthorized in Laws 2007, Chapter 341, Section 56 for constructing and renovating the visitors' center in Chaves county shall not be expended for the original or reauthorized purpose but is changed to plan, design, repair, replace, remodel and construct improvements to include code compliance at the Fisk building complex in Chaves county.

Chapter 83 Section 132 Laws 2008

Section 132. CHAVES COUNTY TOBOSA DEVELOPMENT PARKING LOT CONSTRUCT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 509 of Section 22 of Chapter 429 of Laws 2003 for constructing a parking lot for the Tobosa development in Chaves county is extended through fiscal year 2010.

Chapter 83 Section 133 Laws 2008

Section 133. MIDWAY VOLUNTEER FIRE DEPARTMENT STATION--EXPAND PURPOSE TO INCLUDE PURCHASING BUILDING AND LAND--GENERAL FUND.-- The local government division project in Subsection 217 of Section 68 of Chapter 42 of Laws 2007 to plan, design, construct, equip and furnish a fire department building for the Midway volunteer fire department in Chaves county may include the purchase of an existing building and land.

Chapter 83 Section 134 Laws 2008

Section 134. HAGERMAN MUNICIPAL SCHOOL DISTRICT FIELD HOUSE--EXPAND PURPOSE--GENERAL FUND.--The public education department project in Subsection 284 of Section 55 of Chapter 42 of Laws 2007 to construct and equip a field house in the Hagerman municipal school district in Chaves county may include purchasing and furnishing.

Chapter 83 Section 135 Laws 2008

Section 135. HAGERMAN MUNICIPAL SCHOOL DISTRICT SCHOOL- BASED CLINIC--EXPAND PURPOSE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the public education department project in Subsection 285 of Section 55 of Chapter 42 of Laws 2007 to plan, design, construct and equip a school-based health clinic in the Hagerman municipal school district in Chaves county is appropriated to the department of health and may include renovation.

Chapter 83 Section 136 Laws 2008

Section 136. NEW MEXICO MILITARY INSTITUTE INFORMATION TECHNOLOGY, UNIFORMS AND EQUIPMENT--CHANGE TO BASEBALL PROGRAM STORAGE FACILITY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the board of regents of New Mexico military institute originally authorized in Subsection 1 of Section 34 of Chapter 2 of Laws 2007 and reauthorized in Subsection II of Section 99 of Chapter 42 of Laws 2007 for information technology, equipment and uniforms for the high school baseball program at that institute in Roswell in Chaves county shall not be expended for the original or reauthorized purpose but is changed to purchase, construct, equip and furnish a storage facility for the high school baseball program at that institute. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 137 Laws 2008

Section 137. ROSWELL CORRECTIONAL CENTER IMPROVEMENTS--EXTEND TIME--PUBLIC BUILDINGS REPAIR FUND.--The time of expenditure for the public buildings repair fund appropriation originally made in Paragraph (4) of Subsection A of Section 31 of Chapter 2 of Laws 1999 (1st S.S.) and reauthorized in Subsection D of Section 125 of Chapter 429 of Laws 2003 to renovate, make improvements to and

equip the Roswell correctional center in Chaves county is extended through fiscal year 2009.

Chapter 83 Section 138 Laws 2008

Section 138. GODDARD HIGH SCHOOL CONSTRUCT AND EQUIP--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 78 of Section 23 of Chapter 429 of Laws 2003 for constructing and equipping Goddard high school in the Roswell independent school district in Chaves county is extended through fiscal year 2010.

Chapter 83 Section 139 Laws 2008

Section 139. GODDARD HIGH SCHOOL INDOOR ARTIFICIAL TURF FACILITY--CHANGE TO ROSWELL INDEPENDENT SCHOOL DISTRICT WOOL BOWL ARTIFICIAL TURF--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 305 of Section 55 of Chapter 42 of Laws 2007 for constructing an artificial turf facility at Goddard high school in the Roswell independent school district in Chaves county shall not be expended for the original purpose but is changed to plan, design, construct and install artificial turf on the football field at the wool bowl in that school district.

Chapter 83 Section 140 Laws 2008

Section 140. PINE HILL HEALTH CENTER AMBULANCES--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 20 of Section 50 of Chapter 111 of Laws 2006 to purchase and equip ambulances for the Pine Hill health center in Cibola county is appropriated to the local government division for that project. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 141 Laws 2008

Section 141. RAMAH CHAPTER PINE HILL EARLY CHILDHOOD CENTER--CHANGE TO PINE HILL SCHOOL EARLY CHILDHOOD YOUTH CENTER--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 22 of Section 50 of Chapter 111 of Laws 2006 for constructing an early childhood center in Pine Hill in the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct and equip an early childhood youth center for the Pine Hill school in Cibola county.

Chapter 83 Section 142 Laws 2008

Section 142. PINE HILL SCHOOL GREENHOUSE RENOVATIONS--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 4 of Section 43 of Chapter 347 of Laws 2005 to construct repairs, including glass replacement and framing, to the greenhouse on the Pine Hill school farm of the Ramah chapter of the Navajo Nation in Cibola county is appropriated to the local government division.

Chapter 83 Section 143 Laws 2008

Section 143. PINE HILL SCHOOL HANDICAPPED-ACCESSIBLE BUSES--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 19 of Section 50 of Chapter 111 of Laws 2006 for purchasing and equipping handicapped-accessible buses for the Pine Hill school in Cibola county is appropriated to the local government division. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 144 Laws 2008

Section 144. PINE HILL HEAD START BUSES--CHANGE TO PINE HILL SCHOOL HEAD START BUSES--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 21 of Section 50 of Chapter 111 of Laws 2006 for purchasing buses for the head start program in Pine Hill in the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to purchase buses for the head start program at Pine Hill school in Cibola county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 145 Laws 2008

Section 145. PINE HILL SCHOOL PARENT CENTER--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 20 of Section 66 of Chapter 42 of Laws 2007 to equip and furnish a parent center for the Pine Hill school in Cibola county is appropriated to the local government division for that purpose.

Chapter 83 Section 146 Laws 2008

Section 146. RAMAH CHAPTER YOUTH RECREATION CENTER--CHANGE TO PINE HILL SCHOOL RECREATION CENTER--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 1 of Section 11 of Chapter 385 of Laws 2003 for a youth recreation center for the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct and equip a youth recreation area for the Pine Hill school in Cibola county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 147 Laws 2008

Section 147. PINE HILL SCHOOL SEWER LAGOON--CHANGE AGENCY--CLARIFYING PURPOSE--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 24 of Section 66 of Chapter 42 of Laws 2007 for improvements to the Pine Hill sewer lagoon for the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the department of environment to improve the Pine Hill school sewer lagoon in Cibola county.

Chapter 83 Section 148 Laws 2008

Section 148. PINE HILL SCHOOL SEWER LAGOON--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department originally authorized in Subsection 37 of Section 20 of Chapter 110 of Laws 2002 and reauthorized in Laws 2007, Chapter 341, Section 90 for construction of a sewer lagoon to serve the Pine Hill school and the Ramah Navajo community in Cibola county is appropriated to the department of environment for that purpose.

Chapter 83 Section 149 Laws 2008

Section 149. PINE HILL SCHOOL SWIMMING POOL REPAIR--CHANGE TO SWIMMING FACILITY IMPROVE AND EQUIP--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 3 of Section 43 of Chapter 347 of Laws 2005 for repairs to the swimming pool at the Pine Hill school in the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct and equip improvements to the swimming pool facility, including additions to the outdoor youth recreation area, at the Pine Hill school in Cibola county.

Chapter 83 Section 150 Laws 2008

Section 150. RAMAH CHAPTER WASTEWATER LAGOON--CHANGE TO PINE HILL SCHOOL WASTEWATER LAGOON--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 4 of Section 21 of Chapter 429 of Laws 2003 for improving and expanding a wastewater lagoon in Pine Hill in the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the department of environment to improve and expand the wastewater lagoon at the Pine Hill school in Cibola county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 151 Laws 2008

Section 151. RAMAH CHAPTER WASTEWATER LAGOON--CHANGE TO PINE HILL SCHOOL WASTEWATER LAGOON--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 72 of Section 21 of Chapter 429 of Laws 2003 for improving and expanding a wastewater lagoon in Pine Hill in the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the department of environment to plan, design and construct improvements to a wastewater lagoon for the Pine Hill school in Cibola county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 152 Laws 2008

Section 152. RAMAH CHAPTER WELLNESS CENTER--CHANGE TO PINE HILL SCHOOL WELLNESS CENTER--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 6 of Section 16 of Chapter 111 of Laws 2006 for improvements at the wellness center of the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to construct improvements to the parking area, lighting, signage and landscaping at the Pine Hill school wellness center in Cibola county.

Chapter 83 Section 153 Laws 2008

Section 153. RAMAH CHAPTER WELLNESS CENTER--CHANGE TO PINE HILL SCHOOL IN CIBOLA COUNTY--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 14 of Section 50 of Chapter 111 of Laws 2006 for improvements at the wellness center in the Ramah chapter shall not be expended for the original purpose but is appropriated to the local government division for improvements to the parking area, lighting, signals and landscaping at the wellness center of the Pine Hill school in Cibola county.

Chapter 83 Section 154 Laws 2008

Section 154. RAMAH CHAPTER POOL IMPROVEMENTS--CHANGE TO PINE HILL SCHOOL OUTDOOR RECREATION AREA--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 68 of Section 43 of Chapter 347 of Laws 2005 for improving the pool in the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct and equip improvements, including an addition, to the outdoor youth recreation area of the Pine Hill school in that county.

Chapter 83 Section 155 Laws 2008

Section 155. RAMAH CHAPTER PINE HILL SCHOOL FARM GREENHOUSE REPAIR--CHANGE TO RENOVATE--CHANGE AGENCY--GENERAL FUND.--The

unexpended balance of the appropriation to the Indian affairs department in Subsection 19 of Section 66 of Chapter 42 of Laws 2007 for repairs to the Pine Hill school farm greenhouse in the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to renovate the greenhouse at the Pine Hill school farm in Cibola county.

Chapter 83 Section 156 Laws 2008

Section 156. RAMAH CHAPTER PINE HILL SCHOOL SWIMMING POOL REPAIR--CHANGE TO PINE HILL SCHOOL SWIMMING POOL FACILITY IMPROVE AND EQUIP--CHANGE AGENCY--EXTEND TIME--CAPITAL PROJECTS FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 2 of Section 35 of Chapter 429 of Laws 2003 for repairs to the swimming pool at the Pine Hill school in the Ramah chapter of the Navajo Nation in Cibola county is appropriated to the local government division to plan, design, construct and equip improvements to the swimming pool facility, including additions to the outdoor youth recreation area, at the Pine Hill school in Cibola county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 157 Laws 2008

Section 157. GRANTS MUNICIPAL COURT BUILDING CONSTRUCT--CHANGE TO GRANTS MUNICIPAL COURT BUILDING RENOVATE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 108 of Section 18 of Chapter 111 of Laws 2006 for construction of a new municipal court building in Grants in Cibola county shall not be expended for the original purpose but is changed to plan, design and renovate a municipal court building in Grants.

Chapter 83 Section 158 Laws 2008

Section 158. NEW MEXICO STATE UNIVERSITY GRANTS BRANCH AND COMMUNITY LIBRARY--CHANGE TO GRANTS PUBLIC LIBRARY CONSTRUCT--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the board of regents of New Mexico state university in Paragraph (2) of Subsection E of Section 24 of Chapter 111 of Laws 2006 for renovating the library at the Grants branch campus of New Mexico state university in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct and equip renovations to a public library in Grants.

Chapter 83 Section 159 Laws 2008

Section 159. GRANTS WATER WELL IMPROVE--CHANGE TO WATER WELL CONSTRUCT--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 8 of Section 13 of Chapter 111 of Laws 2006 for water well improvement in Grants in Cibola county shall

not be expended for the original purpose but is changed to plan, design, construct and equip a water well in Grants.

Chapter 83 Section 160 Laws 2008

Section 160. RAMAH CHAPTER PINE HILL HEALTH CENTER AMBULANCES--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 18 of Section 66 of Chapter 42 of Laws 2007 to purchase and equip ambulances for the Pine Hill health center of the Ramah chapter of the Navajo Nation in Cibola county is appropriated to the local government division for that purpose.

Chapter 83 Section 161 Laws 2008

Section 161. RAMAH NAVAJO SCHOOL GREENHOUSE--CHANGE TO RENOVATE AND EQUIP GREENHOUSE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 5 of Section 24 of Chapter 2 of Laws 2007 for the greenhouses at the Ramah Navajo school in Cibola county shall not be expended for the original purpose but is appropriated to the local government division to renovate and equip the greenhouses at the Pine Hill school farm in Cibola county.

Chapter 83 Section 162 Laws 2008

Section 162. PINE HILL SCHOOL GREENHOUSE RENOVATIONS--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 3 of Section 24 of Chapter 2 of Laws 2007 for repairs and renovations to the greenhouses at the Pine Hill school farm in the Ramah chapter of the Navajo Nation in Cibola county is appropriated to the local government division for that purpose.

Chapter 83 Section 163 Laws 2008

Section 163. PINE HILL SCHOOL YOUTH RECREATION AREAS--CHANGE TO OUTDOOR YOUTH RECREATION CENTER--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department originally authorized in Subsection 5 of Section 21 of Chapter 429 of Laws 2003 and reauthorized in Laws 2005, Chapter 347, Section 93 and again in Laws 2006, Chapter 107, Section 42 for youth recreation areas at Pine Hill school in the Ramah chapter of the Navajo Nation in Cibola county shall not be expended for the original or reauthorized purpose but is appropriated to the local government division to plan, design, construct and equip an outdoor youth recreation center for the Pine Hill school in Cibola county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 164 Laws 2008

Section 164. RAMAH NAVAJO WELLNESS CENTER IMPROVEMENTS--CHANGE TO PINE HILL SCHOOL--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department originally authorized in Subsection 38 of Section 20 of Chapter 110 of Laws 2002 and reauthorized in Laws 2004, Chapter 126, Section 95 for improvements to a wellness center for the Ramah Navajo community in Pine Hill in Cibola county shall not be expended for the original or reauthorized purpose but is appropriated to the local government division to plan, design, construct and equip improvements to a wellness center at Pine Hill school in Cibola county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 165 Laws 2008

Section 165. RAMAH CHAPTER BACKHOE PURCHASE--EXPAND PURPOSE--EXTEND TIME--GENERAL FUND.--The Indian affairs department project in Subsection 16 of Section 50 of Chapter 111 of Laws 2006 for a backhoe for the Ramah chapter of the Navajo Nation in Cibola county may include heavy equipment. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 166 Laws 2008

Section 166. RAMAH CHAPTER DUMP TRUCK PURPOSE--EXPAND PURPOSE--EXTEND TIME--GENERAL FUND.--The Indian affairs department project in Subsection 18 of Section 50 of Chapter 111 of Laws 2006 for a dump truck for the Ramah chapter of the Navajo Nation in Cibola county may include heavy equipment. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 167 Laws 2008

Section 167. PINE HILL SCHOOL DORMITORY KITCHEN--CHANGE TO NAVAJO SCHOOL BOARD ADMINISTRATIVE TECHNOLOGY CENTER--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 21 of Section 66 of Chapter 42 of Laws 2007 for constructing a kitchen for the Pine Hill school dormitory in Cibola county shall not be expended for the original purpose but is changed to plan, design, construct and equip an administrative technology center, including information technology and related equipment, furniture and infrastructure, for the Ramah Navajo school board in Cibola county.

Chapter 83 Section 168 Laws 2008

Section 168. OFFICE ON AFRICAN AMERICAN AFFAIRS EXPENSES--CHANGE TO A YOUTH TRACK AND FIELD SPORTS PROGRAM IN ANGEL FIRE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the office on African American affairs in Laws 2006, Chapter 111, Section 44 for operational, contractual and travel expenses shall not be expended for the original

purpose but is appropriated to the tourism department for the sports authority division to support a youth track and field sports program in Angel Fire in Colfax county.

Chapter 83 Section 169 Laws 2008

Section 169. EAGLE NEST DAM REPAIRS--EXTEND TIME--GAME PROTECTION FUND.--The time of expenditure for the appropriation to the department of game and fish in Subsection A of Section 41 of Chapter 429 of Laws 2003 to refurbish and repair Eagle Nest dam in Colfax county is extended through fiscal year 2010.

Chapter 83 Section 170 Laws 2008

Section 170. MINERS' COLFAX MEDICAL CENTER--EXTEND TIME--MINERS' TRUST FUND.--The time of expenditure for the miners' Colfax medical center project originally authorized in Laws 2003, Chapter 429, Section 42 and reauthorized in Laws 2006, Chapter 107, Section 48 for an addition and renovations at miners' Colfax medical center in Raton in Colfax county is extended through fiscal year 2009.

Chapter 83 Section 171 Laws 2008

Section 171. RATON INDUSTRIAL TRAINING PARK--CHANGE TO PARK AND BALL FIELD IMPROVEMENTS--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 75 of Section 16 of Chapter 347 of Laws 2005 for an industrial training park in Raton in Colfax county shall not be expended for the original purpose but is changed to plan, design, construct and equip park and ball field improvements in Raton.

Chapter 83 Section 172 Laws 2008

Section 172. AMALIA COMMUNITY CENTER IMPROVEMENTS--CHANGE TO SPRINGER SENIOR CENTER--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 346 of Section 22 of Chapter 429 of Laws 2003 for a community center in Amalia in Taos county shall not be expended for the original purpose but is appropriated to the aging and long-term services department to construct and equip a senior center in Springer in Colfax county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 173 Laws 2008

Section 173. BERNALILLO COUNTY DEVELOPMENTAL DISABILITIES POLICY COUNCIL VEHICLE--CHANGE TO SPRINGER MUNICIPAL SCHOOL DISTRICT VEHICLES--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection

140 of Section 52 of Chapter 111 of Laws 2006 for a vehicle for the developmental disabilities policy council in Bernalillo county shall not be expended for the original purpose but is appropriated to the public education department to purchase and equip vehicles for the Springer municipal school district in Colfax county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 174 Laws 2008

Section 174. MORA COUNTY RECREATIONAL EQUIPMENT--CHANGE TO SPRINGER MUNICIPAL SCHOOL DISTRICT VEHICLES--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 443 of Section 52 of Chapter 111 of Laws 2006 for recreational equipment in Mora county shall not be expended for the original purpose but is appropriated to the public education department to purchase and equip vehicles for the Springer municipal school district in Colfax county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 175 Laws 2008

Section 175. CURRY COUNTY ROADS 4 AND K STREET LIGHTS--CHANGE TO CURRY COUNTY ROADS IMPROVE--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 21 of Section 30 of Chapter 2 of Laws 2007 for streetlights and road improvements at the intersection of county roads 4 and K in Curry county shall not be expended for the original purpose but is changed to plan, design and construct road improvements in Curry county.

Chapter 83 Section 176 Laws 2008

Section 176. NEW MEXICO HIGHWAY 467 OVERPASS--CHANGE TO CURRY COUNTY ROADS IMPROVE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of transportation in Subsection 16 of Section 15 of Chapter 126 of Laws 2004 for constructing an overpass on New Mexico highway 467 in Curry county shall not be expended for the original purpose but is changed to plan, design and construct improvements to roads in Curry county.

Chapter 83 Section 177 Laws 2008

Section 177. CLOVIS RECREATIONAL FACILITIES--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 273 of Section 68 of Chapter 42 of Laws 2007 for recreational facilities in Clovis in Curry county may include demolition of a structure.

Chapter 83 Section 178 Laws 2008

Section 178. CLOVIS MARTIN LUTHER KING, JR. BOULEVARD OVERPASS--CHANGE TO CLOVIS ROAD IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 59 of Section 60 of Chapter 111 of Laws 2006 for constructing an overpass on Martin Luther King, Jr. boulevard in Clovis in Curry county shall not be expended for the original purpose but is changed to plan, design and construct road improvements in Clovis.

Chapter 83 Section 179 Laws 2008

Section 179. WALDHAUSER AVENUE AND ZUELK ROAD IMPROVE--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The department of transportation project originally authorized in Subsection 46 of Section 22 of Chapter 111 of Laws 2006 and reauthorized in Laws 2007, Chapter 341, Section 99 for improvements to Waldhauser avenue and Zuelk road in Curry county may include improvements to other portions of those roads and to Beta street and paving between Grand avenue and Seventh street and between Mitchell and Thornton streets in Curry county.

Chapter 83 Section 180 Laws 2008

Section 180. MELROSE POOL BATHROOM REPAIRS--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 237 of Section 52 of Chapter 111 of Laws 2006 for building construction and bathroom repairs at the swimming pool in Melrose in Curry county may include renovations to the facility, including fencing.

Chapter 83 Section 181 Laws 2008

Section 181. DEL CERRO COMMUNITY CENTER IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 580 of Section 22 of Chapter 429 of Laws 2003 for improvements to the community center in Del Cerro in Dona Ana county is extended through fiscal year 2010.

Chapter 83 Section 182 Laws 2008

Section 182. MESQUITE COMMUNITY CENTER LAND ACQUISITION--EXPAND PURPOSE--CAPITAL PROJECTS FUND.--The local government division project in Subsection 168 of Section 34 of Chapter 126 of Laws 2004 for acquiring land for the Del Cerro community center in Dona Ana county may include planning, designing and constructing improvements, including site improvements and an expansion, to Del Cerro community center in that county.

Chapter 83 Section 183 Laws 2008

Section 183. DONA ANA COUNTY SHERIFF'S DEPARTMENT ANIMAL TRANSPORT MODULES--CHANGE TO CHASSIS INSTALL--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 265 of Section 52 of Chapter 111 of Laws 2006 for purchasing transport modules for the animal control unit of the sheriff's department in Dona Ana county shall not be expended for the original purpose but is changed to purchase and install a chassis for a transport module for the sheriff's department in that county.

Chapter 83 Section 184 Laws 2008

Section 184. DONA ANA COUNTY OFFICES INFORMATION TECHNOLOGY--CHANGE TO TREASURER'S OFFICE TECHNOLOGY, EQUIPMENT AND FURNITURE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 295 of Section 68 of Chapter 42 of Laws 2007 for information technology for the treasurer, purchasing and information systems departments in Dona Ana county shall not be expended for the original purpose but is changed to purchase, install and design property tax programs, data technology and related equipment, office furniture and other equipment for the Dona Ana county treasurer's office.

Chapter 83 Section 185 Laws 2008

Section 185. LA UNION DOMESTIC WATER ASSOCIATION ADMINISTRATION BUILDING--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 579 of Section 22 of Chapter 429 of Laws 2003 for constructing an administration building for La Union domestic water association in Dona Ana county is extended through fiscal year 2010.

Chapter 83 Section 186 Laws 2008

Section 186. NEW MEXICO STATE UNIVERSITY BORDER PERFORMING ARTS AND CONFERENCE CENTER--CHANGE TO MCNUTT AND CRISTO REY ROADS IMPROVE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the board of regents of New Mexico state university originally authorized in Subsection 129 of Section 48 of Chapter 347 of Laws 2005 and reauthorized in Laws 2007, Chapter 341, Section 121 for a border performing arts and conference center at New Mexico state university's satellite campus in Dona Ana county shall not be expended for the original or reauthorized purpose but is appropriated to the department of transportation to plan, design and construct lane extensions to McNutt road and Cristo Rey road, including a railroad bridge underpass, in Sunland Park in Dona Ana county.

Chapter 83 Section 187 Laws 2008

Section 187. NEW MEXICO HIGHWAYS 478 AND 460 WALKWAY PATH IMPROVEMENTS--EXPAND PURPOSE--GENERAL FUND.--The local government

division project in Subsection 298 of Section 68 of Chapter 42 of Laws 2007 for improvements to the walkway path along New Mexico highways 478 and 460 in the Anthony water and sanitation district in Dona Ana county may include improvements to New Mexico highway 404 in that county.

Chapter 83 Section 188 Laws 2008

Section 188. PLACITAS ARROYO FLOOD CONTROL--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the office of the state engineer in Subsection 1 of Section 20 of Chapter 2 of Laws 2007 for flood control armor in the Placitas arroyo in Dona Ana county is appropriated to the local government division for that purpose.

Chapter 83 Section 189 Laws 2008

Section 189. ANTHONY BERINO BUSINESS PARK CONSTRUCT--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 282 of Section 52 of Chapter 111 of Laws 2006 to plan, design and construct the Anthony Berino business park in Anthony in Dona Ana county may include acquisition of property.

Chapter 83 Section 190 Laws 2008

Section 190. DONA ANA VILLAGE VETERANS' PARK--CHANGE TO VILLAGE REVITALIZATION IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 311 of Section 68 of Chapter 42 of Laws 2007 for constructing a veterans' park in the village of Dona Ana in Dona Ana county shall not be expended for the original purpose but is changed to plan, design and construct improvements for revitalization of that village.

Chapter 83 Section 191 Laws 2008

Section 191. DESERT VIEW ELEMENTARY SCHOOL PLAYGROUND EQUIPMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the public education department project in Subsection 254 of Section 39 of Chapter 111 of Laws 2006 for playground equipment at Desert View elementary school in the Gadsden independent school district in Dona Ana county is extended through fiscal year 2010.

Chapter 83 Section 192 Laws 2008

Section 192. HATCH ADMINISTRATIVE OFFICES--CHANGE PURPOSE TO PAY LOAN FOR HATCH PUBLIC SAFETY BUILDING--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 129 of Section 18 of Chapter 111 of Laws 2006 and reauthorized in Laws 2007, Chapter 341, Section 119 to

renovate the village administrative offices in Hatch in Dona Ana county shall not be expended for the original or reauthorized purpose but is appropriated to the New Mexico finance authority to repay the loan made to the village of Hatch for its public service building.

Chapter 83 Section 193 Laws 2008

Section 193. LEASBURG DAM ROAD AND BRIDGE IMPROVE--CHANGE TO HATCH WASTEWATER PLANT EXPANSION--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 102 of Section 75 of Chapter 42 of Laws 2007 for improvements to Leasburg Dam road shall not be expended for the original purpose but is appropriated to the department of environment to plan, design, construct, purchase and install an expansion, including sludge drying beds, equipment and infrastructure, to the wastewater plant in Hatch in Dona Ana county.

Chapter 83 Section 194 Laws 2008

Section 194. DONA ANA COUNTY FIRE VEHICLES--CHANGE TO LA MESA FIRE STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 142 of Section 18 of Chapter 111 of Laws 2006 for fire suppression vehicles in Dona Ana county shall not be expended for the original purpose but is changed to plan, design, construct and equip a fire station in La Mesa in that county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 195 Laws 2008

Section 195. SELDEN CANYON WATER RIGHTS--CHANGE TO LAS CRUCES KITCHEN CONSTRUCTION--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the office of the state engineer in Subsection 2 of Section 20 of Chapter 2 of Laws 2007 for purchasing water rights in Selden Canyon in Dona Ana county shall not be expended for the original purpose but is appropriated to the local government division to plan, design and construct a kitchen for meal preparation and delivery in Las Cruces in Dona Ana county.

Chapter 83 Section 196 Laws 2008

Section 196. LAS CRUCES VETERANS' AND MILITARY TECHNOLOGY MUSEUM--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the local government division project authorized in Subsection 10 of Section 23 of Chapter 42 of Laws 2007 to design a veterans' and military technology museum east of interstate 25 in Las Cruces in Dona Ana county is appropriated to the cultural affairs department for that purpose.

Chapter 83 Section 197 Laws 2008

Section 197. SANTA TERESA MIDDLE SCHOOL INFORMATION TECHNOLOGY--CHANGE TO LAS CRUCES HIGH SCHOOL LOCKERS--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 264 of Section 39 of Chapter 111 of Laws 2006 for educational technology at Santa Teresa middle school in the Gadsden independent school district in Dona Ana county shall not be expended for the original purpose but is changed to construct renovations, including purchase and installation of lockers, at the gymnasium at Las Cruces high school in the Las Cruces public school district in that county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 198 Laws 2008

Section 198. LAS CRUCES PUBLIC SCHOOL DISTRICT MULTIPURPOSE FACILITY LAND--CHANGE TO ATHLETIC FACILITIES TITLE IX COMPLIANCE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the public education department in Subsection 89 of Section 8 of Chapter 111 of Laws 2006 for purchasing land for a multipurpose facility for the Las Cruces public school district in Dona Ana county shall not be expended for the original purpose but is changed to plan, design, construct and equip athletic fields and related facilities for Title IX compliance in that school district.

Chapter 83 Section 199 Laws 2008

Section 199. MESILLA ELEMENTARY SCHOOL ENTRANCE--CHANGE TO SAFETY-RELATED EQUIPMENT--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 346 of Section 55 of Chapter 42 of Laws 2007 for a new entrance at Mesilla elementary school in the Las Cruces public school district in Dona Ana county shall not be expended for the original purpose but is changed to plan, design, install and equip safety-related equipment to secure the entrances and doors to that school.

Chapter 83 Section 200 Laws 2008

Section 200. MESILLA PUBLIC SAFETY BUILDING--EXPAND PURPOSE TO INCLUDE RENOVATION AND EXPANSION--CAPITAL PROJECTS FUND.--The local government division project in Subsection 163 of Section 34 of Chapter 126 of Laws 2004 to plan, design and construct a public safety building in Mesilla in Dona Ana county may include renovation and expansion of that building.

Chapter 83 Section 201 Laws 2008

Section 201. RASAAF HILLS PARK CONSTRUCTION--CHANGE TO RASAAF CIRCLE DRAINAGE IMPROVEMENTS--CHANGE AGENCY--GENERAL FUND.--The

unexpended balance of the appropriation to the local government division in Subsection 267 of Section 52 of Chapter 111 of Laws 2007 for Rasaaf Hills park in Dona Ana county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct drainage improvements to Rasaaf circle in Mesilla in Dona Ana county.

Chapter 83 Section 202 Laws 2008

Section 202. MESQUITE WELCOME SIGN--CHANGE TO REVITALIZATION OF MESQUITE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 123 of Section 26 of Chapter 2 of Laws 2007 for a welcome sign in Mesquite in Dona Ana county shall not be expended for the original purpose but is changed to acquire land for and plan, design, construct and make improvements for the revitalization of Mesquite.

Chapter 83 Section 203 Laws 2008

Section 203. MESQUITE ROAD SIGNS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 121 of Section 18 of Chapter 429 of Laws 2003 for road signs in Mesquite in Dona Ana county is extended through fiscal year 2010.

Chapter 83 Section 204 Laws 2008

Section 204. MESQUITE TREE PLANTING--CHANGE TO MESQUITE IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 349 of Section 68 of Chapter 42 of Laws 2007 for planting trees in Mesquite shall not be expended for the original purpose but is changed to acquire land for, plan, design and construct improvements in Mesquite in Dona Ana county.

Chapter 83 Section 205 Laws 2008

Section 205. MESQUITE TREE PLANTING--CHANGE TO TOWN IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 122 of Section 26 of Chapter 2 of Laws 2007 for planting trees in Mesquite in Dona Ana county shall not be expended for the original purpose but is changed to acquire land for, plan, design and construct improvements in the town of Mesquite.

Chapter 83 Section 206 Laws 2008

Section 206. SANTA TERESA COMMUNITY PARK CONSTRUCT--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The local government division project in

Subsection 145 of Section 18 of Chapter 111 of Laws 2006 for constructing a community park in Santa Teresa in Dona Ana county may include purchasing land.

Chapter 83 Section 207 Laws 2008

Section 207. SANTA TERESA COMMUNITY PARK--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 280 of Section 52 of Chapter 111 of Laws 2006 for a community park in Santa Teresa in Dona Ana county may include purchase of land for that park.

Chapter 83 Section 208 Laws 2008

Section 208. TURQUOISE LODGE BUILDING REPAIRS--CHANGE TO SANTA TERESA SAFETY INSPECTION STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation from the public buildings repair fund to the capital program fund in Paragraph (3) of Subsection B of Section 25 of Chapter 429 of Laws 2003 for repairs to buildings at Turquoise lodge shall not be expended for the original purpose but is changed to plan, design and construct a safety inspection station at Santa Teresa in Dona Ana county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 209 Laws 2008

Section 209. SANTA FE PENITENTIARY AND OTHER SECURE FACILITIES IMPROVEMENTS STATEWIDE--CHANGE TO SANTA TERESA SAFETY INSPECTION STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund originally authorized in Subsection C of Section 5 of Chapter 2 of Laws 1999 (1st S.S.) and reauthorized in Laws 2003, Chapter 429, Section 124 for improvements to secure facilities statewide and the Santa Fe penitentiary shall not be expended for the original or reauthorized purpose but is changed to plan, design and construct a safety inspection station in Santa Teresa in Dona Ana county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 210 Laws 2008

Section 210. NONPUBLIC SCHOOL COMPUTERS--CHANGE TO SANTA TERESA SAFETY INSPECTION STATION, STATE AIRPLANE, ENERGY EFFICIENCY IN STATE BUILDINGS, UNSER MUSEUM, UNIVERSITY OF NEW MEXICO PIT AND NAMBE HEAD START FACILITIES AND LAND--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 442 of Section 55 of Chapter 42 of Laws 2007 for computers and related technology for certain nonpublic schools statewide shall not be expended for the original purpose but is appropriated in the following amounts to the following agencies for the following purposes, and the time of expenditure is extended through fiscal year 2010:

A. to the local government division:

(1) two hundred thousand dollars (\$200,000) to purchase land for, make improvements to, plan, design and construct tennis and basketball courts and a walking track for the Nambe head start program in Nambe in Santa Fe county; and

(2) three hundred eighty-eight thousand eight hundred fourteen dollars (\$388,814) to plan, design, construct, equip and furnish the Unser museum in Albuquerque in Bernalillo county;

B. to the capital program fund:

(1) one hundred forty-six thousand nine hundred fifty-one dollars (\$146,951) to plan, design, construct, equip and furnish a safety inspection station in Santa Teresa in Dona Ana county;

(2) two hundred fourteen thousand two hundred thirty-five dollars (\$214,235) to plan, design, construct and equip rapid payback energy efficiency projects in state buildings, including lighting retrofits and heating, ventilation and air conditioning control upgrades, statewide;

C. to the general services department, eight hundred thousand dollars (\$800,000) to purchase an airplane in Santa Fe in Santa Fe county; and

D. to the board of regents of the university of New Mexico, seven hundred fifty thousand dollars (\$750,000) to construct, equip and furnish improvements to the Pit facility in Albuquerque in Bernalillo county.

Chapter 83 Section 211 Laws 2008

Section 211. ARTESIA DOMESTIC VIOLENCE SHELTER RENOVATE--CHANGE TO VEHICLES PURCHASE AND SITE IMPROVE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 363 of Section 68 of Chapter 42 of Laws 2007 for renovating a domestic violence shelter in Artesia in Eddy county shall not be expended for the original purpose but is changed to purchase a handicapped-accessible van, a pickup truck and utility trailer and to plan, design and construct improvements to the sidewalks serving the domestic violence shelter in Artesia.

Chapter 83 Section 212 Laws 2008

Section 212. CARLSBAD LAW ENFORCEMENT DISPATCH CENTER CONSTRUCT--CHANGE PURPOSE FOR EQUIPMENT AND FURNISHINGS--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 169 of Section 45 of Chapter 347 of Laws 2005 to design and construct or remodel a consolidated dispatch center for law enforcement in

Carlsbad in Eddy county shall not be expended for the original purpose but is changed to purchase and install equipment and furnishings for that center.

Chapter 83 Section 213 Laws 2008

Section 213. CARLSBAD NATIONAL CAVE AND KARST RESEARCH INSTITUTE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 165 of Section 18 of Chapter 111 of Laws 2006 to plan, design, construct, equip and furnish the national cave and karst research institute in Carlsbad in Eddy county is extended through fiscal year 2010.

Chapter 83 Section 214 Laws 2008

Section 214. CARLSBAD NATIONAL CAVE AND KARST RESEARCH INSTITUTE--EXTEND TIME--CAPITAL PROJECTS FUND.--The time of expenditure for the local government division project in Subsection 37 of Section 37 of Chapter 429 of Laws 2003 to design, construct, equip and furnish a building for the national cave and karst research institute in Carlsbad in Eddy county is extended through fiscal year 2010.

Chapter 83 Section 215 Laws 2008

Section 215. CARLSBAD ANIMAL SHELTER--CHANGE TO NATIONAL CAVE AND KARST RESEARCH INSTITUTE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsections 204 and 527 of Section 22 of Chapter 429 of Laws 2003 for an animal shelter in Carlsbad in Eddy county shall not be expended for the original purpose but is changed to construct, equip and furnish the national cave and karst research institute in Carlsbad. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 216 Laws 2008

Section 216. CARLSBAD ANIMAL SHELTER--CHANGE TO NATIONAL CAVE AND KARST RESEARCH INSTITUTE--EXTEND TIME--CAPITAL PROJECTS FUND.--The unexpended balance of the appropriation to the local government division in Subsection 91 of Section 37 of Chapter 429 of Laws 2003 for an animal shelter in Carlsbad in Eddy county shall not be expended for the original purpose but is changed to construct, equip and furnish the national cave and karst research institute in Carlsbad. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 217 Laws 2008

Section 217. CARLSBAD HIGH SCHOOL ARTIFICIAL TURF--CHANGE TO CARLSBAD MUNICIPAL SCHOOL DISTRICT STADIUM--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 276 of Section 39 of Chapter 111 of Laws 2006 to install

artificial turf at Carlsbad high school in the Carlsbad municipal school district in Eddy county shall not be expended for the original purpose but is changed to plan, design and construct improvements to the stadium, including improvements to comply with the Americans with Disabilities Act of 1990, in that school district. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 218 Laws 2008

Section 218. LOVING FIRE SUBSTATION CONSTRUCT--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 382 of Section 68 of Chapter 42 of Laws 2007 for construction of a fire substation in Loving in Eddy county may include purchasing, furnishing and equipping a metal building as a fire station.

Chapter 83 Section 219 Laws 2008

Section 219. GRANT COUNTY BATAAN MEMORIAL PARK--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 401 of Section 68 of Chapter 42 of Laws 2007 for planning, designing, constructing and equipping Bataan memorial park, including a memorial and gazebo, in Grant county may include landscaping and a helicopter site.

Chapter 83 Section 220 Laws 2008

Section 220. GILA LIBRARY IMPROVEMENTS--CHANGE TO CONSTRUCTION--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 395 of Section 68 of Chapter 42 of Laws 2007 for improvements to the Gila library in Grant county shall not be expended for the original purpose but is changed to plan, design, construct and equip a new library building in Gila in that county.

Chapter 83 Section 221 Laws 2008

Section 221. HURLEY DRAINAGE DITCH IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 45 of Section 18 of Chapter 429 of Laws 2003 for designing and constructing improvements to the main storm drainage ditch in Hurley in Grant county is extended through fiscal year 2010.

Chapter 83 Section 222 Laws 2008

Section 222. CASA MIA RANCH--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The local government division project in Subsection 177 of Section 18 of Chapter 111 of Laws 2006 for planning, designing, constructing, equipping and

furnishing a county-owned multipurpose facility for Casa Mia ranch in Silver City in Grant county may include purchasing property and upgrading and renovating structures.

Chapter 83 Section 223 Laws 2008

Section 223. CASA MIA RANCH--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 352 of Section 52 of Chapter 111 of Laws 2006 for planning, designing, constructing, equipping and furnishing a county-owned multipurpose facility for Casa Mia ranch in Silver City in Grant county may include purchasing property and upgrading and renovating structures.

Chapter 83 Section 224 Laws 2008

Section 224. ANTON CHICO DAM DESIGN--CHANGE TO HORMIGOSO COMMUNITY DITCH IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the office of the state engineer in Subsection 5 of Section 34 of Chapter 347 of Laws 2005 for a dam and acequia water storage facility in Anton Chico in Guadalupe county shall not be expended for the original purpose but is changed to plan, design and construct improvements to the Hormigoso community ditch in that county.

Chapter 83 Section 225 Laws 2008

Section 225. LORDSBURG MUSEUM AND PARK--CHANGE TO CITY HALL BUILDING--SEVERANCE TAX BONDS.--The unexpended balance of the local government division project originally authorized in Laws 2005, Chapter 347, Section 11 and reauthorized in Laws 2007, Chapter 341, Section 145 for improvements to the museum and a park in Lordsburg in Hidalgo county shall not be expended for the original or reauthorized purpose but is changed to plan, design and construct a city hall building in Lordsburg.

Chapter 83 Section 226 Laws 2008

Section 226. EUNICE CONDEMNED BUILDINGS DEMOLITION AND REMOVAL--EXTEND TIME--CAPITAL PROJECTS FUND.--The time of expenditure for the local government division project in Subsection 43 of Section 37 of Chapter 429 of Laws 2003 for the demolition and removal of condemned buildings in Eunice in Lea county is extended through fiscal year 2010.

Chapter 83 Section 227 Laws 2008

Section 227. EUNICE CONDEMNED BUILDINGS REMOVAL--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 552 of Section 22 of Chapter 429 of Laws 2003 for the demolition

and removal of condemned buildings in Eunice in Lea county is extended through fiscal year 2010.

Chapter 83 Section 228 Laws 2008

Section 228. EUNICE MUNICIPAL CEMETERY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 550 of Section 22 of Chapter 429 of Laws 2003 for a municipal cemetery in Eunice in Lea county is extended through fiscal year 2010.

Chapter 83 Section 229 Laws 2008

Section 229. EUNICE MUNICIPAL CEMETERY--EXTEND TIME--CAPITAL PROJECTS FUND.--The time of expenditure for the local government division project in Subsection 44 of Section 37 of Chapter 429 of Laws 2003 to construct a municipal cemetery in Eunice in Lea county is extended through fiscal year 2010.

Chapter 83 Section 230 Laws 2008

Section 230. HOBBS CRIME LAB--EXPAND PURPOSE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the capital program fund in Subsection 6 of Section 38 of Chapter 42 of Laws 2007 to plan, design, construct, equip and furnish a crime laboratory in Hobbs in Lea county is appropriated to the local government division and may include renovating.

Chapter 83 Section 231 Laws 2008

Section 231. LINCOLN COUNTY DETENTION FACILITY ANNEX CONSTRUCT--CHANGE TO RENOVATE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 241 of Section 22 of Chapter 429 of Laws 2003 for constructing an annex to the detention facility in Lincoln county shall not be expended for the original purpose but is changed to plan, design, construct, equip and furnish renovations, including a roof, to the detention center in Lincoln county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 232 Laws 2008

Section 232. CAPITAN BASEBALL FIELD AND RECREATIONAL FACILITY--CHANGE TO CAPITAN MUNICIPAL SCHOOL DISTRICT--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 444 of Section 68 of Chapter 42 of Laws 2007 for constructing a baseball field and recreational facility in Capitan in Lincoln county shall not be expended for the original purpose but is appropriated to the public education

department to plan, design and construct a baseball field and recreational facility in the Capitan municipal school district.

Chapter 83 Section 233 Laws 2008

Section 233. CORONA VILLAGE HALL RENOVATE--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 447 of Section 68 of Chapter 42 of Laws 2007 for renovating the village hall in Corona in Lincoln county may include furnishing and equipping.

Chapter 83 Section 234 Laws 2008

Section 234. LOS ALAMOS MUSEUM ROMERO CABIN--CHANGE TO HISTORIC ROMERO CABIN--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 202 of Section 45 of Chapter 347 of Laws 2005 for improvements to the Los Alamos historical museum Romero cabin in Los Alamos county shall not be expended for the original purpose but is changed to plan, design and make improvements to the historic Romero cabin in Los Alamos county.

Chapter 83 Section 235 Laws 2008

Section 235. COLUMBUS CITY HALL--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project in Subsection 403 of Section 52 of Chapter 111 of Laws 2006 to renovate and furnish Columbus city hall in Luna county is extended through fiscal year 2010.

Chapter 83 Section 236 Laws 2008

Section 236. DEMING MORGAN HALL RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 22 of Section 14 of Chapter 429 of Laws 2003 and reauthorized and reappropriated to the local government division in Laws 2004, Chapter 126, Section 105 for renovations to Morgan hall in Deming in Luna county is extended through fiscal year 2010.

Chapter 83 Section 237 Laws 2008

Section 237. GALLUP ECONOMIC DEVELOPMENT FACILITY LAND ACQUISITION--CHANGE TO GALLUP-MCKINLEY CHAMBER OF COMMERCE LAND AND BUILDING--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 123 of Section 16 of Chapter 347 of Laws 2005 to acquire land for an economic development facility in Gallup shall not be expended for the original purpose but is changed to acquire property

for and to plan, design, renovate, equip and furnish the Gallup-McKinley county chamber of commerce in McKinley county.

Chapter 83 Section 238 Laws 2008

Section 238. GALLUP CANCER TREATMENT CENTER CONSTRUCTION--EXPAND TO INCLUDE RENOVATION AND CLARIFY FACILITY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 124 of Section 16 of Chapter 347 of Laws 2005 for constructing a cancer treatment center in Gallup in McKinley county shall not be expended for the original purpose but is changed to plan, design, renovate, construct, equip and furnish a cancer and long-term illness rehabilitation housing facility in McKinley county.

Chapter 83 Section 239 Laws 2008

Section 239. RED ROCK STATE PARK PERFORMANCE HOUSE ROOF REPAIR--CHANGE TO RED ROCK STATE PARK CONVENTION CENTER ROOF REPAIR--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 598 of Section 22 of Chapter 429 of Laws 2003 to repair the roof of the performance round house at Red Rock state park in McKinley county shall not be expended for the original purpose but is changed to repair the roof of the convention center at Red Rock state park. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 240 Laws 2008

Section 240. BAAHAALI CHAPTER MOTOR GRADER PURCHASE--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 45 of Section 50 of Chapter 111 of Laws 2006 to purchase a motor grader for the Baahaali chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 241 Laws 2008

Section 241. BAAHAALI CHAPTER FACILITY AND PARKING LOT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 8 of Section 21 of Chapter 429 of Laws 2003 for a facility and parking lot in the Baahaali chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 242 Laws 2008

Section 242. BAAHAALI CHAPTER MOTOR GRADER--CHANGE TO HEAVY EQUIPMENT--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 33 of Section 66 of Chapter 42 of Laws 2007 for

a motor grader for the Baahaali chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to purchase heavy equipment for the Baahaali chapter of the Navajo Nation.

Chapter 83 Section 243 Laws 2008

Section 243. BECENTI CHAPTER MULTIPURPOSE CENTER--CHANGE TO BATHROOM ADDITIONS--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 78 of Section 43 of Chapter 347 of Laws 2005 for a multipurpose center at the Becenti chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design, construct and equip bathroom additions in that chapter.

Chapter 83 Section 244 Laws 2008

Section 244. BECENTI CHAPTER HOUSE RENOVATE--CHANGE TO BATHROOM ADDITIONS--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 63 of Section 50 of Chapter 111 of Laws 2006 for renovating the chapter house in the Becenti chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design, equip and construct bathroom additions in that chapter.

Chapter 83 Section 245 Laws 2008

Section 245. CHICHILTAH CHAPTER WASTEWATER TREATMENT SYSTEM--CHANGE TO POWERLINE EXTENSIONS--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 53 of Section 50 of Chapter 111 of Laws 2006 for improvements to the wastewater treatment system in the Chichiltah chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design and construct a powerline extension in that chapter.

Chapter 83 Section 246 Laws 2008

Section 246. CHICHILTAH CHAPTER PARKING LOT PAVE--CHANGE TO ROAD EQUIPMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 70 of Section 21 of Chapter 429 of Laws 2003 for paving the parking lot at the Chichiltah chapter house of the Navajo Nation shall not be expended for the original purpose but is changed to purchase road equipment for that chapter. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 247 Laws 2008

Section 247. CHICHILTAH CHAPTER ROAD EQUIPMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 52 of Section 50 of Chapter 111 of Laws 2006 for purchasing road equipment for the Chichiltah chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 248 Laws 2008

Section 248. CHICHILTAH SENIOR CENTER BUILDING PURCHASE--CHANGE TO BUILDING CONSTRUCT--GENERAL FUND.--The unexpended balance of the appropriation to the aging and long-term services department in Subsection 23 of Section 36 of Chapter 42 of Laws 2007 for a modular building for the senior center of the Chichiltah chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design, construct and equip a building for the senior center in that chapter.

Chapter 83 Section 249 Laws 2008

Section 249. CHURCH ROCK CHAPTER SENIOR CENTER CONSTRUCT--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The aging and long-term services department project in Subsection 91 of Section 4 of Chapter 429 of Laws 2003 for constructing, equipping and furnishing a senior center for the Church Rock chapter of the Navajo Nation in McKinley county may include planning. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 250 Laws 2008

Section 250. COYOTE CANYON CHAPTER WASTEWATER SYSTEM--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 10 of Section 21 of Chapter 429 of Laws 2003 for constructing a wastewater system for the Coyote Canyon chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 251 Laws 2008

Section 251. CROWNPOINT CHAPTER SENIOR CENTER RENOVATION--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The Indian affairs department project in Subsection 34 of Section 4 of Chapter 429 of Laws 2003 for renovating the senior center in the Crownpoint chapter of the Navajo Nation in McKinley county may include purchase and installation of equipment and a storage bin. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 252 Laws 2008

Section 252. MCKINLEY COUNTY MUSEUM IMPROVEMENTS--CHANGE TO VETERANS' MEMORIAL PARK AND CEMETERY IN GALLUP--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 207 of Section 45 of Chapter 347 of Laws 2005 for improvements to museums in McKinley county shall not be expended for the original purpose but is changed to plan, design and construct improvements, including the purchase and installation of a kiosk, at the veterans' memorial park and veterans' cemetery in Gallup.

Chapter 83 Section 253 Laws 2008

Section 253. STATEWIDE ASSET BUILDING AND INCENTIVES FEASIBILITY STUDY--CHANGE TO NAVAJO MIDDLE SCHOOL SIGN--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the economic development department in Subsection 2 of Section 10 of Chapter 429 of Laws 2003 for a statewide asset building and incentives feasibility study shall not be expended for the original purpose but is appropriated to the public education department to plan, design and construct a sign for Navajo middle school in the Gallup-McKinley county school district in McKinley county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 254 Laws 2008

Section 254. IYANBITO CHAPTER BURNT CORN ROAD IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 55 of Section 18 of Chapter 429 of Laws 2003 for improvements to Burnt Corn road in the Iyanbito chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 255 Laws 2008

Section 255. MANUELITO CHAPTER POWERLINE EXTENSION--EXTEND TIME--CAPITAL PROJECTS.--The time of expenditure for the Indian affairs department project in Subsection 8 of Section 35 of Chapter 429 of Laws 2003 for an electrical powerline extension for the Manuelito chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 256 Laws 2008

Section 256. TSE DE TAH CANYON WATER AND WASTEWATER FACILITIES IN MANUELITO--CHANGE TO BATHROOM ADDITIONS--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department originally authorized in Subsection HH of Section 13 of Chapter 23 of Laws 2000 (2nd S.S.) and reauthorized in Laws 2004, Chapter 126, Section 181 and in Laws 2005, Chapter 347, Section 263 for water and wastewater facilities in Tse de Tah canyon in Manuelito shall not be expended for the original purpose or reauthorized purposes but is

changed to plan, design and construct bathroom additions in the Tse de Tah canyon and springs area of the Manuelito chapter of the Navajo Nation in McKinley county.

Chapter 83 Section 257 Laws 2008

Section 257. MARIANO LAKE CHAPTER SENIOR CENTER--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the aging and long-term services department project in Subsection 41 of Section 4 of Chapter 429 of Laws 2003 for planning, designing and constructing a senior center at the Mariano Lake chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 258 Laws 2008

Section 258. MARIANO LAKE CHAPTER HEAD START BUILDINGS PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 244 of Section 22 of Chapter 429 of Laws 2003 for purchasing modular buildings for the head start center at the Mariano Lake chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 259 Laws 2008

Section 259. RAMAH WATER AND SANITATION DISTRICT WASTEWATER TREATMENT IMPROVEMENTS--CHANGE TO SERVICE VEHICLE--GENERAL FUND.--The unexpended balance of the appropriation to the department of environment in Subsection 31 of Section 36 of Chapter 347 of Laws 2005 for wastewater improvements in the Ramah water and sanitation district in McKinley county shall not be expended for the original purpose but is changed to purchase and equip a service vehicle for that district.

Chapter 83 Section 260 Laws 2008

Section 260. RED LAKE CHAPTER INFRASTRUCTURE--CHANGE TO FARM WORK BUILDING AND AN OFFICE COMPLEX--CAPITAL PROJECTS FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 18 of Section 33 of Chapter 126 of Laws 2004 for infrastructure for community facilities in the Red Lake chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design, construct and renovate a farm work building and an office complex in that chapter.

Chapter 83 Section 261 Laws 2008

Section 261. RED ROCK CHAPTER MOTOR GRADER--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 48 of Section 50 of Chapter 111 of Laws 2006 to purchase a motor grader

for the Red Rock chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 262 Laws 2008

Section 262. ROCK SPRINGS CHAPTER BRIDGE CONSTRUCT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 127 of Section 18 of Chapter 429 of Laws 2003 for acquiring easements for and constructing a bridge in the Rock Springs chapter of the Navajo Nation in McKinley county is extended through fiscal year 2010.

Chapter 83 Section 263 Laws 2008

Section 263. ROCK SPRINGS CHAPTER POLICE SUBSTATION--CHANGE TO INFRASTRUCTURE CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 11 of Section 21 of Chapter 429 of Laws 2003 for constructing a police substation in the Rock Springs chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design and construct infrastructure in that chapter. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 264 Laws 2008

Section 264. ROCK SPRINGS CHAPTER RECREATIONAL FACILITIES--CHANGE TO INFRASTRUCTURE, RECREATIONAL AND MULTIPURPOSE FACILITIES--EXTEND TIME--CAPITAL PROJECTS FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 17 of Section 33 of Chapter 126 of Laws 2004 for recreational facilities in the Rock Springs chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design and construct infrastructure improvements, including sewer lagoon and water lines, and to plan, design and construct a recreational facility and multipurpose building in that chapter. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 265 Laws 2008

Section 265. ROCK SPRINGS CHAPTER POLICE SUBSTATION CONSTRUCT--CHANGE TO INFRASTRUCTURE IMPROVEMENTS AND MULTIPURPOSE BUILDING--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 68 of Section 21 of Chapter 429 of Laws 2003 for constructing a police substation in the Rock Springs chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design and construct a multipurpose building and infrastructure improvements, including sewer lagoon and water lines, in that chapter. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 266 Laws 2008

Section 266. ROCK SPRINGS CHAPTER MULTIPURPOSE CENTER--EXPAND TO INCLUDE INFRASTRUCTURE--SEVERANCE TAX BONDS.--The Indian affairs department project in Subsection 12 of Section 16 of Chapter 111 of Laws 2006 for a multipurpose building in the Rock Springs chapter of the Navajo Nation in McKinley county may include planning, designing and constructing infrastructure improvements, including a sewer lagoon and water lines, at that chapter.

Chapter 83 Section 267 Laws 2008

Section 267. ROCK SPRINGS CHAPTER LAW ENFORCEMENT SUBSTATION--CHANGE TO SEWER LAGOON INFRASTRUCTURE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department originally authorized in Subsection 40 of Section 20 of Chapter 110 of Laws 2002 and reauthorized in Laws 2007, Chapter 341, Section 181, for a law enforcement substation at the Rock Springs chapter of the Navajo Nation in McKinley county shall not be expended for the original or reauthorized purpose but is changed to plan, design and construct infrastructure, including a sewer lagoon, in that chapter.

Chapter 83 Section 268 Laws 2008

Section 268. STANDING ROCK CHAPTER HOUSE RENOVATION--CHANGE TO POWERLINE EXTENSIONS--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 9 of Section 15 of Chapter 347 of Laws 2005 to renovate the chapter house in the Standing Rock chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design and construct powerline extensions in that chapter.

Chapter 83 Section 269 Laws 2008

Section 269. STANDING ROCK CHAPTER SENIOR CENTER--EXPAND PURPOSE TO INCLUDE EQUIPPING AND FURNISHING--EXTEND TIME--SEVERANCE TAX BONDS.--The aging and long-term services department project in Subsection 97 of Section 4 of Chapter 429 of Laws 2003 to plan, design and construct a senior center at the Standing Rock chapter of the Navajo Nation in McKinley county may include equipping and furnishing. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 270 Laws 2008

Section 270. STANDING ROCK CHAPTER SENIOR CENTER CONSTRUCT--EXPAND PURPOSE TO INCLUDE EQUIPMENT AND FURNISHING--EXTEND TIME--GENERAL FUND.--The aging and long-term services department project in Subsection

1 of Section 2 of Chapter 385 of Laws 2003 to plan, design and construct a senior center at the Standing Rock chapter of the Navajo Nation in McKinley county may include equipping and furnishing. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 271 Laws 2008

Section 271. THOREAU CHAPTER SENIOR CENTER PLAN AND DESIGN--EXPAND PURPOSE--CAPITAL PROJECTS FUND.--The aging and long-term services department project in Subsection 40 of Section 20 of Chapter 126 of Laws 2004 for planning and designing a senior center at the Thoreau chapter of the Navajo Nation in McKinley county may include purchasing and installing equipment at that senior center.

Chapter 83 Section 272 Laws 2008

Section 272. THOREAU CHAPTER ROAD PAVEMENT--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The department of transportation project in Subsection 56 of Section 18 of Chapter 429 of Laws 2003 for paving roads for the Thoreau chapter of the Navajo Nation in McKinley county may include road improvements. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 273 Laws 2008

Section 273. WAGON MOUND PARK CONSTRUCT--CHANGE TO MORA COUNTY VEHICLE AND EQUIPMENT--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 215 of Section 45 of Chapter 347 of Laws 2005 for constructing a park in Wagon Mound in Mora county shall not be expended for the original purpose but is changed to purchase a vehicle and equipment for Mora county.

Chapter 83 Section 274 Laws 2008

Section 274. RAINSVILLE COMMUNITY CENTER RENOVATE--CHANGE TO MORA COUNTY VEHICLE AND EQUIPMENT--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 213 of Section 45 of Chapter 347 of Laws 2005 for renovating a community center in Rainsville in Mora county shall not be expended for the original purpose but is changed to purchase a vehicle and equipment for Mora county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 275 Laws 2008

Section 275. WAGON MOUND MUNICIPAL BUILDING REPAIRS--CHANGE TO WAGON MOUND WATER SYSTEM IMPROVEMENTS--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to

the local government division in Subsection 253 of Section 22 of Chapter 429 of Laws 2003 for repairs to the municipal building in Wagon Mound in Mora county shall not be expended for the original purpose but is appropriated to the department of environment to plan, design and construct water system improvements in Wagon Mound. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 276 Laws 2008

Section 276. DISABILITIES ORGANIZATION INFORMATION TECHNOLOGY PURCHASE--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the vocational rehabilitation division in Subsection 3 of Section 41 of Chapter 111 of Laws 2006 for purchasing and installing information technology for an organization serving persons with disabilities in Bernalillo and surrounding counties is appropriated to the local government division for that purpose. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 277 Laws 2008

Section 277. FETAL ALCOHOL AWARENESS VEHICLE STATEWIDE--CHANGE TO INFORMATION TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 698 of Section 68 of Chapter 42 of Laws 2007 for purchasing a vehicle for the fetal alcohol syndrome awareness program statewide shall not be expended for the original purpose but is changed to purchase information technology, including related equipment, furniture and infrastructure, for a fetal alcohol syndrome public health awareness program statewide. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 278 Laws 2008

Section 278. PUEBLOS OF LAGUNA AND SAN FELIPE INDEPENDENT LIVING CENTER FOR DISABLED NATIVE AMERICANS--EXPAND TO INCLUDE RENOVATION AND EXPANSION--CHANGE AGENCY--SEVERANCE TAX BONDS.--The vocational rehabilitation division project in Laws 2007, Chapter 42, Section 33 to plan, design, construct, equip and furnish an independent living center with sites in the Pueblo of Laguna and the Pueblo of San Felipe to support disabled Native Americans is appropriated to the Indian affairs department for that project and may include renovation and expansion of that center.

Chapter 83 Section 279 Laws 2008

Section 279. ALBUQUERQUE DOWNTOWN ARENA--CHANGE TO SCOREBOARDS AT NEW MEXICO STATE UNIVERSITY, FILM AND MEDIA FACILITIES, SANTA TERESA INSPECTION STATION AND UNSER MUSEUM--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 3 of Section 23 of Chapter

42 of Laws 2007 for an arena in downtown Albuquerque shall not be expended for the original purpose but is appropriated to the following agencies for the following purposes:

A. five hundred thousand dollars (\$500,000) to the board of regents of New Mexico state university to purchase and install scoreboards at New Mexico state university in Las Cruces in Dona Ana county;

B. three hundred twenty-six thousand dollars (\$326,000) to the capital program fund to plan, design and construct a safety inspection station at Santa Teresa in Dona Ana county; and

C. to the local government division:

(1) two million dollars (\$2,000,000) for film and media production, education and training facilities and other film initiatives statewide; and

(2) one hundred seventy-four thousand dollars (\$174,000) to plan, design, construct, equip and furnish the Unser museum in Albuquerque in Bernalillo county.

Chapter 83 Section 280 Laws 2008

Section 280. SANTA FE AND RIO ARRIBA COUNTIES DEVELOPMENTALLY DISABLED ORGANIZATION VEHICLES--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the vocational rehabilitation division in Subsection 2 of Section 41 of Chapter 111 of Laws 2006 for purchasing and equipping vehicles for use by an organization serving the developmentally disabled in Santa Fe and Rio Arriba counties is appropriated to the local government division for that purpose. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 281 Laws 2008

Section 281. CORRALES VISITOR WELCOME SIGN PURCHASE AND INSTALL--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 2 of Section 18 of Chapter 429 of Laws 2003 for purchasing and installing a welcome sign in Corrales in Bernalillo and Sandoval counties is extended through fiscal year 2010.

Chapter 83 Section 282 Laws 2008

Section 282. ALAMOGORDO RELIEF ROUTE CONNECTORS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 59 of Section 18 of Chapter 429 of Laws 2003 to construct road connectors for the Alamogordo relief route in Otero county is extended through fiscal year 2010.

Chapter 83 Section 283 Laws 2008

Section 283. OTERO COUNTY INMATE HOLDING FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 261 of Section 22 of Chapter 429 of Laws 2003 and reauthorized in Laws 2005, Chapter 347, Section 135 for an inmate holding facility in Otero county is extended through fiscal year 2010.

Chapter 83 Section 284 Laws 2008

Section 284. OTERO COUNTY SHERIFF'S DEPARTMENT FACILITY TO COMPLY WITH ELECTRONIC RECORDING ACT--CHANGE TO EVIDENCE STORAGE FACILITY RENOVATION--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 158 of Section 26 of Chapter 2 of Laws 2007 for a facility for the county sheriff's department to comply with the Electronic Recording Act in Otero county shall not be expended for the original purpose but is changed to plan, design, renovate, furnish and equip a county facility for the storage and safekeeping of evidence by the sheriff in Otero county.

Chapter 83 Section 285 Laws 2008

Section 285. OTERO COUNTY SHERIFF'S OFFICE ADDITION--CHANGE TO SHERIFF'S EVIDENCE FACILITY RENOVATE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 215 of Section 18 of Chapter 111 of Laws 2006 for an addition to the sheriff's office in Otero county shall not be expended for the original purpose but is changed to plan, design, construct, furnish, equip and renovate a facility for storage of evidence for the Otero county sheriff.

Chapter 83 Section 286 Laws 2008

Section 286. RIATA ROAD DRAINAGE CULVERT CONSTRUCT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 58 of Section 18 of Chapter 429 of Laws 2003 to construct a drainage culvert under Riata road in Otero county is extended through fiscal year 2010.

Chapter 83 Section 287 Laws 2008

Section 287. OTERO COUNTY ADMINISTRATION COMPLEX CONSTRUCT--CHANGE TO ADMINSTRATIVE COMPLEX BUILDINGS RENOVATE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 498 of Section 68 of Chapter 42 of Laws 2007 for construction of an administration complex in Alamogordo in Otero county shall not be expended for the

original purpose but is changed to plan, design, construct and renovate buildings, including roof replacement, in the administrative complex in Otero county.

Chapter 83 Section 288 Laws 2008

Section 288. ALAMOGORDO PUERTO RICO AVENUE AND INDIAN WELLS TRAFFIC SIGNALS--CHANGE TO SOUTH FLORIDA AVENUE IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of transportation in Subsection 60 of Section 18 of Chapter 429 of Laws 2003 for a traffic signal at Puerto Rico avenue and Indian Wells road in Alamogordo in Otero county shall not be expended for the original purpose but is changed to purchase right of way, plan, design and construct improvements to South Florida avenue in that county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 289 Laws 2008

Section 289. ZENITH PARK TENNIS COURTS--CHANGE TO ZENITH PARK TRAIL--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 163 of Section 26 of Chapter 2 of Laws 2007 for tennis courts at Zenith park in Cloudcroft in Otero county shall not be expended for the original purpose but is changed to design, construct, pave and equip a hiking and walking trail at Zenith park.

Chapter 83 Section 290 Laws 2008

Section 290. CLOUDCROFT HIGH SCHOOL BLEACHERS--CHANGE PURPOSE TO NEW ROOF--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 383 of Section 55 of Chapter 42 of Laws 2007 for bleachers at Cloudcroft high school in the Cloudcroft municipal school district shall not be expended for the original purpose but is changed to plan, design, install and construct a new roof for the weight room area of Cloudcroft high school in that school district.

Chapter 83 Section 291 Laws 2008

Section 291. TULAROSA FIRE DEPARTMENT RENOVATIONS--CHANGE TO POLICE VEHICLES--GENERAL FUND.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 164 of Section 26 of Chapter 2 of Laws 2007 and reauthorized in Subsection X of Section 99 of Chapter 42 of Laws 2007 for renovations to the fire department building in Tularosa in Otero county shall not be expended for the original or reauthorized purpose but is changed to purchase and equip vehicles for the police department in Tularosa.

Chapter 83 Section 292 Laws 2008

Section 292. QUAY COUNTY AGRICULTURE EDUCATIONAL CENTER--EXPAND PURPOSE TO INCLUDE PURCHASING, RENOVATING AND PAYING LOAN--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 138 of Section 16 of Chapter 347 of Laws 2005 for offices at the Quay agriculture educational center in Quay county may include purchasing, renovating and paying an existing loan to the New Mexico finance authority for this project.

Chapter 83 Section 293 Laws 2008

Section 293. QUAY COUNTY AGRICULTURAL EDUCATION CENTER--EXPAND PURPOSE TO INCLUDE PURCHASING, REMODELING AND PAYING LOAN--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 219 of Section 18 of Chapter 111 of Laws 2006 for improvements to the agricultural education center in Quay county may include purchasing, renovating and paying an existing loan to the New Mexico finance authority for this project.

Chapter 83 Section 294 Laws 2008

Section 294. RIO ARRIBA COUNTY COURTHOUSE FURNITURE PURCHASE--EXTEND TIME--GENERAL FUND.--The time of expenditure for the first judicial district court project in Paragraph 1 of Subsection A of Section 33 of Chapter 111 of Laws 2006 for purchasing and installing furniture and equipment for the first judicial court facility in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 295 Laws 2008

Section 295. LAS CLINICAS DEL NORTE INFORMATION TECHNOLOGY--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project in Subsection 484 of Section 52 of Chapter 111 of Laws 2006 for information technology for Las Clinicas del Norte in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 296 Laws 2008

Section 296. LAS CUMBRES LEARNING SERVICES PLAYGROUND AREA RENOVATE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 279 of Section 22 of Chapter 429 of Laws 2003 for playground renovations at Las Cumbres learning services in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 297 Laws 2008

Section 297. LAS CUMBRES LEARNING SERVICES BUILDING AND GROUNDS IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 280 of Section 22 of Chapter 429 of Laws 2003 for grounds and building improvements at Las Cumbres learning services in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 298 Laws 2008

Section 298. LAS CUMBRES LEARNING SERVICES BUILDING AND GROUNDS IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 568 of Section 22 of Chapter 429 of Laws 2003 for building and grounds improvements, including landscaping, for Las Cumbres learning services in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 299 Laws 2008

Section 299. RIO ARRIBA COUNTY LA CLINICA DEL PUEBLO VAN--CHANGE TO EQUIPMENT--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 511 of Section 68 of Chapter 42 of Laws 2007 for a van for use by la clinica del pueblo in Rio Arriba county shall not be expended for the original purpose but is changed to purchase medical and dental digital radiology equipment for use by that clinic.

Chapter 83 Section 300 Laws 2008

Section 300. TRUCHAS VOLUNTEER FIRE DEPARTMENT STATION CONSTRUCT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project in Subsection 97 of Section 37 of Chapter 429 of Laws 2003 for constructing a fire station for the Truchas volunteer fire department in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 301 Laws 2008

Section 301. ABIQUIU BOYS' AND GIRLS' CLUB FACILITIES IMPROVEMENTS--CHANGE TO IMPROVEMENTS TO BOYS' AND GIRLS' CLUB--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 516 of Section 68 of Chapter 42 of Laws 2007 for improvements to the boys' and girls' club facilities in Abiquiu in Rio Arriba county shall not be expended for the original purpose but is changed to improve the boys' and girls' club in Abiquiu.

Chapter 83 Section 302 Laws 2008

Section 302. CHAMA ANIMAL SHELTER CONSTRUCT--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The local government division project in Subsection 207 of Section 117 of Chapter 126 of Laws 2004 for construction of an animal shelter in Chama in Rio Arriba county may include purchasing land and purchasing, renovating, installing, equipping and furnishing a building. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 303 Laws 2008

Section 303. CHAMA ANIMAL SHELTER CONSTRUCT--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The local government division project in Subsection 224 of Section 18 of Chapter 111 of Laws 2006 for construction of an animal shelter in Chama in Rio Arriba county may include purchasing land and purchasing, renovating, installing, equipping and furnishing a building.

Chapter 83 Section 304 Laws 2008

Section 304. CHAMA ANIMAL SHELTER CONSTRUCT--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The local government division project in Subsections 272 and 561 of Section 22 of Chapter 429 of Laws 2003 for construction of an animal shelter in Chama in Rio Arriba county may include purchasing land and purchasing, renovating, installing, equipping and furnishing a building. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 305 Laws 2008

Section 305. CHAMA ANIMAL SHELTER CONSTRUCT--EXPAND PURPOSE--EXTEND TIME--CAPITAL PROJECTS FUND.--The local government division project in Subsection 288 of Section 34 of Chapter 126 of Laws 2004 for construction of an animal shelter in Chama in Rio Arriba county may include purchasing land and purchasing, renovating, installing, equipping and furnishing a building. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 306 Laws 2008

Section 306. CHAMA ANIMAL SHELTER CONSTRUCT--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 477 of Section 52 of Chapter 111 of Laws 2006 for construction of an animal shelter in Chama in Rio Arriba county may include purchasing land and purchasing, renovating, installing, equipping and furnishing a building.

Chapter 83 Section 307 Laws 2008

Section 307. CHIMAYO ESPINOZA DITCH CONSTRUCTION AND REPAIRS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate

stream commission project in Subsection 2 of Section 13 of Chapter 429 of Laws 2003 for construction and repairs to the Espinoza ditch in Chimayo in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 308 Laws 2008

Section 308. COYOTE VOLUNTEER FIRE DEPARTMENT FACILITY IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 271 of Section 22 of Chapter 429 of Laws 2003 for improving, renovating and constructing facilities for the Coyote volunteer fire department in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 309 Laws 2008

Section 309. ESPANOLA COMMUNITY HEALTH FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 560 of Section 22 of Chapter 429 of Laws 2003 for constructing a community health facility in Espanola in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 310 Laws 2008

Section 310. ESPANOLA SENIOR CENTER KITCHEN EXPAND AND EQUIP--EXTEND TIME--GENERAL FUND.--The time of expenditure for the aging and long-term services department project in Subsection 8 of Section 29 of Chapter 429 of Laws 2003 for expanding and equipping the kitchen facility at the senior center in Espanola in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 311 Laws 2008

Section 311. ESPANOLA SENIOR CENTER ROOF REPAIR--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the aging and long-term services department project originally authorized in Subsection 15 of Section 3 of Chapter 110 of Laws 2002 and reauthorized in Laws 2005, Chapter 347, Section 137 for roof repair and replacement at the senior center in Espanola in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 312 Laws 2008

Section 312. CASA DE CORAZON YOUTH FACILITY EQUIPMENT--CHANGE TO CHIMAYO, HERNANDEZ AND SAN JUAN ELEMENTARY SCHOOLS--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 470 of Section 52 of Chapter 111 of Laws 2006 for equipment for the Casa de Corazon youth facility in

Espanola in Rio Arriba county shall not be expended for the original purpose but is appropriated to the public education department to purchase, plan, design, construct and install heating, ventilation and air conditioning systems at Chimayo, Hernandez and San Juan elementary schools in the Espanola public school district. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 313 Laws 2008

Section 313. ESPANOLA MILITARY ACADEMY CHARTER SCHOOL VEHICLES--CHANGE TO IMPROVEMENTS--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 319 of Section 39 of Chapter 111 of Laws 2006 for vehicles for the Espanola military academy charter school in the Espanola public school district in Rio Arriba county shall not be expended for the original purpose but is changed to plan, design and construct improvements at the Espanola military academy in Rio Arriba county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 314 Laws 2008

Section 314. MOUNTAIN VIEW ELEMENTARY SCHOOL FACILITIES--CHANGE TO HEATING, VENTILATION AND AIR CONDITIONING SYSTEM IMPROVEMENTS IN SEVERAL SCHOOLS IN THE ESPANOLA PUBLIC SCHOOL DISTRICT--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 399 of Section 55 of Chapter 42 of Laws 2007 for classroom facilities at Mountain View elementary school in the Espanola public school district in Rio Arriba county shall not be expended for the original purpose but is changed to plan, design and install heating, ventilation and air conditioning systems at Chimayo, San Juan and Eutimio "Tim" Salazar III elementary schools in that school district.

Chapter 83 Section 315 Laws 2008

Section 315. LAS CUMBRES AND HEALTH CENTERS BUILDING--CHANGE AGENCY--CHANGE TO RIO ARRIBA COUNTY ROAD 126 BRIDGE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 270 of Section 22 of Chapter 429 of Laws 2003 for a building for the health centers and Las Cumbres learning services in Espanola in Rio Arriba county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct a bridge on county road 126 in La Mesilla in that county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 316 Laws 2008

Section 316. EIGHT NORTHERN INDIAN PUEBLOS COUNCIL CENTER AT OHKAY OWINGEH--CHANGE TO CENTRAL ADMINISTRATION CENTER--EXTEND

TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 51 of Section 21 of Chapter 429 of Laws 2003 to construct an arts, crafts, visitor and administration center for the eight northern Indian pueblos council shall not be expended for the original purpose but is changed to plan and design a central administration center for that council to house all its programs in one site in Ohkay Owingeh in Rio Arriba county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 317 Laws 2008

Section 317. EIGHT NORTHERN INDIAN PUEBLOS COUNCIL CENTER AT OHKAY OWINGEH--CHANGE TO CENTRAL ADMINISTRATION CENTER--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 55 of Section 21 of Chapter 429 of Laws 2003 to construct an arts, crafts, visitor and administration center for the eight northern Indian pueblos council shall not be expended for the original purpose but is changed to plan and design a central administration center for that council to house all its programs in one site in Ohkay Owingeh in Rio Arriba county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 318 Laws 2008

Section 318. EIGHT NORTHERN INDIAN PUEBLOS COUNCIL CENTER--CHANGE TO OHKAY OWINGEH COMMUNITY LIBRARY RENOVATE--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 7 of Section 11 of Chapter 385 of Laws 2003 for constructing a visitors' and administration center for the eight northern Indian pueblos council in Ohkay Owingeh in Rio Arriba county shall not be expended for the original purpose but is changed to construct and equip renovations to the community library in Ohkay Owingeh. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 319 Laws 2008

Section 319. SANTA CLARA PUEBLO NEIGHBORHOOD FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 17 of Section 21 of Chapter 429 of Laws 2003 for improvements to the neighborhood facility in the Pueblo of Santa Clara in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 320 Laws 2008

Section 320. TRUCHAS ACEQUIA REPAIRS--CHANGE TO ACEQUIA DE LA POSESION IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the interstate stream commission in Subsection 3 of Section 13 of Chapter 429 of Laws 2003 to repair the Truchas acequia in Truchas in Rio Arriba county shall not be expended for the original purpose but is

changed to design and construct improvements, including a pipeline, for the acequia de la Posecion in Truchas. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 321 Laws 2008

Section 321. CORDOVA FIRE DEPARTMENT--CHANGE TO TRUCHAS--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 490 of Section 52 of Chapter 111 of Laws 2006 for a fire substation in Cordova in Rio Arriba county shall not be expended for the original purpose but is changed to plan, design, construct and equip a fire substation for the Truchas fire department in Truchas.

Chapter 83 Section 322 Laws 2008

Section 322. VELARDE FIRE DEPARTMENT FACILITY CONSTRUCT--CHANGE TO VELARDE VALLEY FIRE DEPARTMENT TRUCK PURCHASE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 529 of Section 68 of Chapter 42 of Laws 2007 for purchasing land for and constructing a fire department facility in Velarde in Rio Arriba county shall not be expended for the original purpose but is changed to purchase and equip a fire truck for the Velarde Valley fire department in that county.

Chapter 83 Section 323 Laws 2008

Section 323. ROOSEVELT COUNTY EXTENSION OFFICE ADDITION--CHANGE TO JAKE LOPEZ COMMUNITY BUILDING RENOVATE--CAPITAL PROJECTS FUND.--The unexpended balance of the appropriation to the local government division in Subsection 302 of Section 34 of Chapter 126 of Laws 2004 for constructing an addition to the extension office in Roosevelt county shall not be expended for the original purpose but is changed to plan, design, construct and equip renovations to the Jake Lopez community building at the fairgrounds in Roosevelt county.

Chapter 83 Section 324 Laws 2008

Section 324. FLOYD MUNICIPAL SCHOOL DISTRICT GYMNASIUM BLEACHERS REFURBISH--CHANGE TO ATHLETIC FACILITY RENOVATE AND EQUIP--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 120 of Section 16 of Chapter 2 of Laws 2007 for refurbishing the gymnasium bleachers in the Floyd municipal school district in Roosevelt county shall not be expended for the original purpose but is changed to plan, design, construct, renovate, purchase, equip and install athletic facilities in that school district.

Chapter 83 Section 325 Laws 2008

Section 325. LA CASA DE BUENA SALUD FAMILY HEALTH CENTER ADDITION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 281 of Section 22 of Chapter 429 of Laws 2003 for constructing an addition to La Casa de Buena Salud family health center in Portales in Roosevelt county is extended through fiscal year 2010.

Chapter 83 Section 326 Laws 2008

Section 326. FORT DEFIANCE SENIOR CENTER IMPROVEMENTS--CHANGE TO EQUIPMENT--GENERAL FUND.--The unexpended balance of the appropriation to the aging and long-term services department in Subsection 106 of Section 23 of Chapter 347 of Laws 2005 for improvements at Fort Defiance senior center on the Navajo Nation in San Juan county shall not be expended for the original purpose but is changed to purchase and install equipment at that senior center in San Juan county.

Chapter 83 Section 327 Laws 2008

Section 327. HOGBACK SENIOR CENTER IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the aging and long-term services department project in Subsection 56 of Section 4 of Chapter 429 of Laws 2003 for improvements to the Hogback senior center of the Navajo Nation in San Juan county is extended through fiscal year 2010.

Chapter 83 Section 328 Laws 2008

Section 328. SAN JUAN COUNTY ROAD 5512 IMPROVE--CHANGE TO BRIDGE 8113 IMPROVE--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 40 of Section 30 of Chapter 2 of Laws 2007 for improvements to county road 5512 in San Juan county shall not be expended for the original purpose but is changed to plan, design and construct improvements to bridge 8113 on county road 6675 in that county.

Chapter 83 Section 329 Laws 2008

Section 329. AZTEC SUBSTANCE ABUSE TREATMENT FACILITY--CHANGE TO SAN JUAN COUNTY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 242 of Section 18 of Chapter 111 of Laws 2006 for a substance abuse treatment facility in Aztec in San Juan county shall not be expended for the original purpose but is changed to plan, design, construct, equip and furnish a substance abuse treatment facility in San Juan county.

Chapter 83 Section 330 Laws 2008

Section 330. AZTEC SUBSTANCE ABUSE FACILITY--CHANGE TO SAN JUAN COUNTY SUBSTANCE ABUSE TREATMENT FACILITY--GENERAL FUND.--The

unexpended balance of the appropriation to the local government division in Subsection 514 of Section 52 of Chapter 111 of Laws 2006 for constructing a substance abuse facility in Aztec in San Juan county shall not be expended for the original purpose but is changed to plan, design, construct, equip and furnish a substance abuse treatment facility in San Juan county.

Chapter 83 Section 331 Laws 2008

Section 331. AZTEC RAW WATER STORAGE FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 13 of Section 12 of Chapter 429 of Laws 2003 and reauthorized in Laws 2004, Chapter 126, Section 155 for constructing a raw water reservoir in Aztec in San Juan county is extended through fiscal year 2010.

Chapter 83 Section 332 Laws 2008

Section 332. AZTEC RESERVOIR AND RAW WATER STORAGE FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 31 of Section 14 of Chapter 429 of Laws 2003 and reauthorized in Laws 2004, Chapter 126, Section 60 for a reservoir and raw water storage facility in Aztec in San Juan county is extended through fiscal year 2010.

Chapter 83 Section 333 Laws 2008

Section 333. C.V. KOOGLER MIDDLE SCHOOL ELECTRICAL UPGRADES--CHANGE TO AZTEC MUNICIPAL SCHOOL DISTRICT PERFORMING ARTS CENTER--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the public education department in Subsection 38 of Section 14 of Chapter 126 of Laws 2004 for electrical upgrades at C.V. Koogler middle school in the Aztec municipal school district in San Juan county shall not be expended for the original purpose but is changed to plan, design and construct a performing arts center in the Aztec municipal school district.

Chapter 83 Section 334 Laws 2008

Section 334. AZTEC HIGH SCHOOL ELECTRICAL UPGRADES--CHANGE TO AZTEC MUNICIPAL SCHOOL DISTRICT PERFORMING ARTS CENTER--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the public education department in Subsection 63 of Section 19 of Chapter 347 of Laws 2005 for electrical upgrades at Aztec high school in the Aztec municipal school district in San Juan county shall not be expended for the original purpose but is changed to plan, design and construct a performing arts center in the Aztec municipal school district.

Chapter 83 Section 335 Laws 2008

Section 335. NAABA ANI ELEMENTARY SCHOOL BOILER--CHANGE TO BLOOMFIELD SCHOOL DISTRICT BOILERS AND COOLERS--GENERAL FUND.--The unexpended balance of the appropriation to the public education department in Subsection 406 of Section 55 of Chapter 42 of Laws 2007 to replace the main boiler at Naaba Ani elementary school in the Bloomfield school district in San Juan county shall not be expended for the original purpose but is changed to replace boilers and evaporative coolers in that school district.

Chapter 83 Section 336 Laws 2008

Section 336. FARMINGTON AIRPORT CIVIL AIR PATROL FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the aviation division project in Subsection 1 of Section 19 of Chapter 429 of Laws 2003 for a hangar and office facility for the civil air patrol at the Farmington airport in San Juan county is extended through fiscal year 2010.

Chapter 83 Section 337 Laws 2008

Section 337. GADII'AHÍ SENIOR CENTER IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the aging and long-term services department project in Subsection 57 of Section 4 of Chapter 429 of Laws 2003 for improvements to the Gadii'ahi senior center of the Navajo Nation in San Juan county is extended through fiscal year 2010.

Chapter 83 Section 338 Laws 2008

Section 338. LAKE VALLEY CHAPTER HOUSE--CHANGE PURPOSE TO RENOVATIONS--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 95 of Section 66 of Chapter 42 of Laws 2007 to construct a chapter house in the Lake Valley chapter of the Navajo Nation in San Juan county shall not be expended for the original purpose but is changed to plan, design and renovate a chapter house for that chapter.

Chapter 83 Section 339 Laws 2008

Section 339. LAKE VALLEY CHAPTER SENIOR VEHICLE--CHANGE TO LAKE VALLEY CHAPTER VEHICLE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the aging and long-term services department in Subsection 42 of Section 36 of Chapter 42 of Laws 2007 for a van for the senior center in the Lake Valley chapter of the Navajo Nation in San Juan county shall not be expended for the original purpose but is appropriated to the Indian affairs department to purchase and equip a vehicle for that chapter.

Chapter 83 Section 340 Laws 2008

Section 340. NAGEEZI CHAPTER HOUSE--CHANGE TO OFFICE FURNITURE AND EQUIPMENT--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 97 of Section 66 of Chapter 42 of Laws 2007 for the chapter house at the Nageezi chapter of the Navajo Nation in San Juan county shall not be expended for the original purpose but is changed to purchase and install furniture and equipment for that chapter.

Chapter 83 Section 341 Laws 2008

Section 341. SANOSTEE SENIOR CENTER IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the aging and long-term services department project in Subsection 58 of Section 4 of Chapter 429 of Laws 2003 for improvements to the senior center in the Sanostee chapter of the Navajo Nation in San Juan county is extended through fiscal year 2010.

Chapter 83 Section 342 Laws 2008

Section 342. TSE'DAA'KAAN CHAPTER CHILD DEVELOPMENT FACILITY CONSTRUCT--CHANGE TO MODULAR BUILDING--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 110 of Section 66 of Chapter 42 of Laws 2007 for construction of a child development education facility in the Tse'Daa'Kaan chapter of the Navajo Nation in San Juan county shall not be expended for the original purpose but is changed to purchase, construct and install a modular building unit for child development education in that chapter.

Chapter 83 Section 343 Laws 2008

Section 343. WHITE ROCK CHAPTER POWERLINE PROJECT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 84 of Section 21 of Chapter 429 of Laws 2003 for a powerline project in the White Rock chapter of the Navajo Nation in San Juan county is extended through fiscal year 2010.

Chapter 83 Section 344 Laws 2008

Section 344. SAN MIGUEL COUNTY UPPERTOWN PLAZA COMMUNITY PARK--CHANGE TO CINDER ROAD BICYCLE AND PEDESTRIAN PATH--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 553 of Section 68 of Chapter 42 of Laws 2007 for improvements to the community park in the Uppertown Plaza area in San Miguel county shall not be expended for the original purpose but is changed to plan, design, construct and landscape a bicycle and pedestrian path along Cinder road in San Miguel county.

Chapter 83 Section 345 Laws 2008

Section 345. SAN MIGUEL COUNTY PARK IMPROVEMENTS--CHANGE TO CINDER ROAD BICYCLE AND PEDESTRIAN PATH--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 545 of Section 52 of Chapter 111 of Laws 2006 for improvements to parks in San Miguel county shall not be expended for the original purpose but is changed to plan, design, construct and landscape a pedestrian and bicycle path along Cinder road in San Miguel county.

Chapter 83 Section 346 Laws 2008

Section 346. SAN MIGUEL COUNTY SENA DAM CULVERTS REPAIR--CHANGE TO LA FRAGUA COMMUNITY DITCH AND DAM IMPROVE--GENERAL FUND.--The unexpended balance of the appropriation to the office of the state engineer in Subsection 13 of Section 42 of Chapter 111 of Laws 2006 for installing culverts in the dam in Sena in San Miguel county shall not be expended for the original purpose but is changed to plan, design and construct improvements to La Fragua community ditch and dam in San Miguel county.

Chapter 83 Section 347 Laws 2008

Section 347. LAS VEGAS BUS PURCHASE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 177 of Section 26 of Chapter 2 of Laws 2007 for purchasing buses for transporting veterans in Las Vegas in San Miguel county is appropriated to the veterans' services department for that purpose.

Chapter 83 Section 348 Laws 2008

Section 348. LAS VEGAS VETERANS' TRANSITIONAL HOUSING PROJECT--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 571 of Section 68 of Chapter 42 of Laws 2007 for veterans' transitional housing shall not be expended for the original purpose but is appropriated to the department of finance and administration for disbursement by the New Mexico mortgage finance authority pursuant to the Affordable Housing Act for the purpose of planning, designing, constructing and renovating a building for a veterans' transitional housing project in Las Vegas in San Miguel county.

Chapter 83 Section 349 Laws 2008

Section 349. LAS VEGAS VOTING MACHINE WAREHOUSE--EXPAND PURPOSE--EXTEND TIME--CAPITAL PROJECTS FUND.--The local government division project in Subsection 312 of Section 34 of Chapter 126 of Laws 2004 for a voting machine warehouse in Las Vegas in San Miguel county may include renovation, upgrades and equipment for that warehouse. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 350 Laws 2008

Section 350. NEW MEXICO HIGHLANDS UNIVERSITY WORK PROGRAM VEHICLE--CHANGE TO NEW MEXICO HIGHLANDS UNIVERSITY VEHICLES--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the board of regents of New Mexico highlands university in Subsection 3 of Section 33 of Chapter 2 of Laws 2004 for a vehicle for the work program at that university in Las Vegas in San Miguel county shall not be expended for the original purpose but is changed to purchase vehicles for that university. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 351 Laws 2008

Section 351. SAN MIGUEL COUNTY SPECIAL OLYMPICS ACTIVITY BUS--CHANGE TO SCHOOL ACTIVITY BUS--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 574 of Section 68 of Chapter 42 of Laws 2007 for purchasing an activity bus for use by the Las Vegas special Olympics program in San Miguel county shall not be expended for the original purpose but is appropriated to the public education department to purchase and equip an activity bus in the Las Vegas city public school district.

Chapter 83 Section 352 Laws 2008

Section 352. VALLEY MIDDLE SCHOOL FOOTBALL FIELD EQUIP--CHANGE TO FOOTBALL FIELD CONSTRUCT--GENERAL FUND.--The public education department project in Subsection 162 of Section 48 of Chapter 347 of Laws 2005 for equipment for constructing and purchasing equipment for a football field at Valley middle school in the west Las Vegas public school district in San Miguel county may include planning, designing, installing and equipping a football field at Valley middle school.

Chapter 83 Section 353 Laws 2008

Section 353. WEST LAS VEGAS PUBLIC SCHOOL DISTRICT BAND UNIFORMS--EXPAND PURPOSE--GENERAL FUND.--The public education department project in Subsection 129 of Section 16 of Chapter 2 of Laws 2007 for purchasing band uniforms for the west Las Vegas public school district in San Miguel county may include equipment.

Chapter 83 Section 354 Laws 2008

Section 354. WEST LAS VEGAS PUBLIC SCHOOL DISTRICT PAPER BINDING MACHINE--EXPAND PURPOSE--GENERAL FUND.--The public education department project in Subsection 130 of Section 16 of Chapter 2 of Laws 2007 for purchasing and installing a paper binding machine for the west Las Vegas public school

district in San Miguel county may include equipping, including a folding machine, for that school district.

Chapter 83 Section 355 Laws 2008

Section 355. JEMEZ RIVER BASIN ACEQUIAS DIVERSION DAM CONSTRUCT--CHANGE TO EAST SANDOVAL LATERAL ACEQUIA CONSTRUCT--GENERAL FUND.--The unexpended balance of the appropriation to the interstate stream commission in Subsection 60 of Section 67 of Chapter 42 of Laws 2007 for constructing a diversion dam for the Jemez river basin acequias in Sandoval county shall not be expended for the original purpose but is changed to plan, design and construct a diversion dam on the east Sandoval lateral acequia in Sandoval county.

Chapter 83 Section 356 Laws 2008

Section 356. JEMEZ SPRINGS DIVERSION DAM--CHANGE TO EAST SANDOVAL LATERAL ACEQUIA DAM--GENERAL FUND.--The unexpended balance of the appropriation to the interstate stream commission in Subsection 62 of Section 67 of Chapter 42 of Laws 2007 for constructing a diversion dam on the Jemez river for acequias in Jemez Springs in Sandoval county shall not be expended for the original purpose but is changed to plan, design and construct a diversion dam on the east Sandoval lateral acequia in that county.

Chapter 83 Section 357 Laws 2008

Section 357. CORRALES ELEMENTARY SCHOOL EDUCATIONAL TECHNOLOGY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 114 of Section 8 of Chapter 111 of Laws 2006 for educational technology for Corrales elementary school in the Albuquerque public school district in Sandoval county is extended through fiscal year 2010.

Chapter 83 Section 358 Laws 2008

Section 358. NORTH VALLEY LITTLE LEAGUE LAND AND FACILITIES--CHANGE TO JEMEZ SPRINGS WALKWAYS AND SIDEWALKS--SEVERANCE TAX BONDS.--Fifty thousand dollars (\$50,000) of the unexpended balance of the appropriation to the local government division originally appropriated in Subsection 68 of Section 18 of Chapter 111 of Laws 2006 for land and facilities for the North Valley little league shall not be expended for the original purpose but is changed to plan, design, construct and purchase rights of way for walkways and sidewalks within Jemez Springs, including bridge repair, engineering and construction, in Sandoval county.

Chapter 83 Section 359 Laws 2008

Section 359. BACHECHI PARK OPEN SPACE IMPROVEMENTS--CHANGE TO RIO RANCHO NORTH CENTRAL ECONOMIC DEVELOPMENT WATER SYSTEM--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division originally appropriated in Subsection 361 of Section 45 of Chapter 347 of Laws 2005 and reauthorized in Laws 2006, Chapter 107, Section 27 for open space and facility improvements to the Bachechi open space area in Bernalillo county shall not be expended for the original or reauthorized purpose but is appropriated to the department of environment to plan, design and construct a north central economic development area water system in Rio Rancho in Sandoval county.

Chapter 83 Section 360 Laws 2008

Section 360. ACEQUIA DEL LLANO IMPROVE RIO ARRIBA AND SANTA FE COUNTIES--CHANGE TO SANTA FE COUNTY--GENERAL FUND.--The location of the interstate stream commission project in Subsection 25 of Section 67 of Chapter 42 of Laws 2007 for improvements to the acequia del Llano in Santa Fe and Rio Arriba counties is changed to Santa Fe county.

Chapter 83 Section 361 Laws 2008

Section 361. CANONCITO AT APACHE CANYON WATER RIGHTS--CHANGE TO WATER RIGHTS, LAND AND A PIPELINE--CAPITAL PROJECTS FUND.--The unexpended balance of the appropriation to the department of environment in Subsection 74 of Section 29 of Chapter 126 of Laws 2004 to purchase water rights for Canoncito at Apache Canyon shall not be expended for the original purpose but is changed to purchase water rights and to plan, design and construct a pipeline for Canoncito from the Eldorado area water and sanitation district or the Santa Fe county water system.

Chapter 83 Section 362 Laws 2008

Section 362. SOMBRILLO AREA WATER PROJECT--CHANGE TO NORTHERN SANTA FE COUNTY WATER AND WASTEWATER SYSTEM--GENERAL FUND.--The unexpended balance of the appropriation to the department of environment in Subsection 171 of Section 59 of Chapter 42 of Laws 2007 for constructing improvements to the water system in the Sombrillo area of Santa Fe county shall not be expended for the original purpose but is changed to plan, design, construct and equip a water and wastewater system in northern Santa Fe county.

Chapter 83 Section 363 Laws 2008

Section 363. NEW MEXICO FILM MUSEUM OPERATIONAL COSTS--CHANGE TO SANTA FE BUSINESS INCUBATOR--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the cultural affairs department in Subsection 21 of Section 35 of Chapter 111 of Laws 2006 for operational costs for the New Mexico film museum shall not be expended for the original purpose but is

appropriated to the local government division for the Santa Fe business incubator in Santa Fe county.

Chapter 83 Section 364 Laws 2008

Section 364. SANTA FE COUNTY ROAD 55 IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 89 of Section 18 of Chapter 429 of Laws 2003 for improving county road 55 in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 365 Laws 2008

Section 365. CENTER FOR CITIZENSHIP IN ALBUQUERQUE--CHANGE TO SANTA FE OPERA REHEARSAL HALL--CHANGE AGENCY--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 83 of Section 18 of Chapter 111 of Laws 2006 for a center to assist immigrants in attaining United States citizenship shall not be expended for the original purpose but is appropriated to the cultural affairs department to plan, design and construct a rehearsal hall on land donated by the Santa Fe opera in Santa Fe county.

Chapter 83 Section 366 Laws 2008

Section 366. SANTA FE RECREATIONAL FIELDS AND CAJA DEL RIO ROAD IMPROVEMENTS--EXTEND TIME--CAPITAL PROJECTS FUND.--The time of expenditure for the local government division project in Subsection 103 of Section 37 of Chapter 429 of Laws 2003 for a concession stand and improvements to Caja del Rio road and infrastructure at the Santa Fe recreational fields in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 367 Laws 2008

Section 367. SANTA FE RECREATIONAL FIELDS AND CAJA DEL RIO ROAD IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the board of regents of the university of New Mexico project originally authorized in Paragraph (31) of Subsection I of Section 26 of Chapter 429 of Laws 2003 and reauthorized to the local government division in Laws 2004, Chapter 126, Section 169 for a concession stand and improvements to Caja del Rio road and infrastructure at the Santa Fe recreational fields in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 368 Laws 2008

Section 368. SANTA FE RECREATIONAL FIELDS AND CAJA DEL RIO ROAD IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 605 of Section 22 of

Chapter 429 of Laws 2003 for a concession stand and improvements to Caja del Rio road and infrastructure at the Santa Fe recreational fields in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 369 Laws 2008

Section 369. SANTA FE RECREATIONAL FIELDS AT CAJA DEL RIO--EXTEND TIME--CAPITAL PROJECTS FUND.--The time of expenditure for the local government division project in Subsection 241 of Section 134 of Chapter 126 of Laws 2004 for a concession stand and improvements to Caja del Rio road and infrastructure at the Santa Fe recreational fields in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 370 Laws 2008

Section 370. EDMUND G. ROSS MEMORIAL--CHANGE TO CONCESSION BUILDING AT THE RUGBY FIELDS ON CAJA DEL RIO ROAD--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 8 of Section 26 of Chapter 2 of Laws 2007 for a monument to Edmund G. Ross in Bernalillo county shall not be expended for the original purpose but is changed to plan, design and construct a concession building at the municipal recreation complex rugby fields on Caja del Rio road in Santa Fe county.

Chapter 83 Section 371 Laws 2008

Section 371. SANTA FE RECREATIONAL FIELDS IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the economic development department project originally authorized in Subsection 4 of Section 12 of Chapter 110 of Laws 2002 and reauthorized and reappropriated to the local government division in Laws 2004, Chapter 126, Section 170 for a concession stand, improvements and infrastructure at the Santa Fe recreational fields in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 372 Laws 2008

Section 372. FILM AND MEDIA EMPLOYMENT TRAINING--CHANGE TO SANTA FE RECREATIONAL FIELDS--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the higher education department in Subsection 20 of Section 62 of Chapter 111 of Laws 2006 for film and media employment training and student productions shall not be expended for the original purpose but is appropriated to the local government division for a concession stand, improvements and infrastructure at the Santa Fe recreational fields in Santa Fe county.

Chapter 83 Section 373 Laws 2008

Section 373. SANTA FE WASTEWATER SYSTEM IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 42 of Section 14 of Chapter 429 of Laws 2003 for wastewater system improvements in the Rancho de las Golondrinas area in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 374 Laws 2008

Section 374. SANTA FE COUNTY SUNRISE ROAD IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 94 of Section 18 of Chapter 429 of Laws 2003 for improvements to Sunrise road in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 375 Laws 2008

Section 375. SOUTH SANTA FE COUNTY YOUTH AND AGRICULTURAL FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 321 of Section 22 of Chapter 429 of Laws 2003 for constructing a youth and agricultural facility in the southern area of Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 376 Laws 2008

Section 376. CERRILLOS WATER SYSTEM IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 35 of Section 14 of Chapter 429 of Laws 2003 for improvements to the water system in Cerrillos in Santa Fe county is extended through fiscal year 2010.

Chapter 83 Section 377 Laws 2008

Section 377. POJOAQUE VALLEY COMMUNITY CENTER--CHANGE TO NAMBE HEAD START PROGRAM COURTS, WALKING TRACK AND LAND PURCHASE--GENERAL FUND.--The unexpended balance of the appropriation to the local government division authorized in Subsection 636 of Section 52 of Chapter 111 of Laws 2006 for a community center in the Pojoaque valley in Santa Fe county shall not be expended for the original purpose but is changed to purchase land for, make improvements to, plan, design and construct tennis and basketball courts and a walking track for the Nambé head start program in Nambé in Santa Fe county.

Chapter 83 Section 378 Laws 2008

Section 378. NAMBE HEAD START TENNIS AND BASKETBALL COURTS AND WALKING TRACK--EXPAND TO INCLUDE LAND PURCHASE--SEVERANCE TAX BONDS AND CAPITAL PROJECTS FUND.--The public education department projects

originally authorized in Subsection 220 of Section 23 and Subsections 12 and 28 of Section 38 of Chapter 429 of Laws 2003 and reauthorized and appropriated to the local government division in Laws 2006, Chapter 107, Section 147 to improve and plan, design and construct tennis and basketball courts and a walking track for the Nambe head start program in Nambe in Santa Fe county may also include the purchase of land.

Chapter 83 Section 379 Laws 2008

Section 379. SANTA FE WATER SYSTEM EXTENSION TO CAMINO CARLOS RAEL--CHANGE TO PUEBLO OF POJOAQUE TRADITIONAL ADMINISTRATIVE FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection RRRRRR of Section 9 of Chapter 7 of Laws 1998 and reauthorized to the department of environment in Laws 2003, Chapter 429, Section 136 to extend Santa Fe's water system to Camino Carlos Rael in Santa Fe county shall not be expended for the original or reauthorized purpose but is appropriated to the Indian affairs department to plan, design, construct and equip the traditional ceremonial administration facility at the Pueblo of Pojoaque in that county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 380 Laws 2008

Section 380. SANTA TERESA DROP YARD--CHANGE TO AIRPLANE PURCHASE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the capital program fund in Subsection 9 of Section 64 of Chapter 111 of Laws 2006 for constructing a drop yard in Santa Teresa in Dona Ana county shall not be expended for the original purpose but is appropriated to the general services department to purchase an airplane in Santa Fe in Santa Fe county.

Chapter 83 Section 381 Laws 2008

Section 381. CAPITOL RENOVATIONS--EXPAND PURPOSE TO INCLUDE SPACE FOR LEGISLATIVE AND EXECUTIVE SPACE--EXTEND TIME--CAPITOL BUILDINGS REPAIR FUND AND LEGISLATIVE CASH BALANCES.--The unexpended balance of the appropriations to the legislative council service in Subsections A, B and C of Section 1 of Chapter 192 of Laws 2007 for the purpose of constructing and renovating capitol north and the capitol may include renovations to provide for larger legislative committee space and long-range facility space plans, including the initial planning and design of any additional executive agency space, if such space is determined to be necessary. The time of expenditure for these appropriations is extended through fiscal year 2012.

Chapter 83 Section 382 Laws 2008

Section 382. MANSION RIDGE ROAD IMPROVE--CHANGE TO OLD PECOS TRAIL IMPROVE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of transportation in Subsection 87 of Section 22 of

Chapter 111 of Laws 2006 for improvements to Mansion Ridge road in Santa Fe in Santa Fe county shall not be expended for the original purpose but is changed to plan, design and construct road improvements, including sidewalks, curbs and gutters, to Old Pecos trail from Cordova road to Old Santa Fe trail in Santa Fe county.

Chapter 83 Section 383 Laws 2008

Section 383. OLD SANTA FE BICYCLE TRAIL--CHANGE PURPOSE--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 56 of Section 30 of Chapter 2 of Laws 2007 for a bicycle trail along Old Santa Fe trail in Santa Fe in Santa Fe county shall not be expended for the original purpose but is changed to purchase land for, plan, design, construct and equip road improvements for multimodal transit along Old Santa Fe trail, including El Gancho way, in Santa Fe.

Chapter 83 Section 384 Laws 2008

Section 384. HYDE PARK BICYCLE TRAIL--CHANGE TO OLD SANTA FE TRAIL ROADWAY IMPROVEMENT STUDY FOR BICYCLE TRAFFIC--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 167 of Section 60 of Chapter 111 of Laws 2006 to construct a bicycle trail along Hyde Park road shall not be expended for the original purpose but is changed for a feasibility and right-of-way study for roadway improvements to widen the road no more than thirty feet for bicycle traffic on Old Santa Fe trail between Zia road and El Gancho way and on El Gancho way in Santa Fe in Santa Fe county.

Chapter 83 Section 385 Laws 2008

Section 385. LENSIC THEATER EQUIP--CHANGE TO SANTA FE CIVIC CENTER EQUIP--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 281 of Section 18 of Chapter 111 of Laws 2006 for equipping the Lensic performing arts theater in Santa Fe in Santa Fe county shall not be expended for the original purpose but is changed to purchase and install equipment and machinery at the performance hall of the civic center in Santa Fe. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 386 Laws 2008

Section 386. ZIA AND RODEO ROADS INTERSECTION GUARDRAIL CONSTRUCT--CHANGE TO ZIA ROAD AND CAMINO PINTORES PEDESTRIAN RAILING--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 212 of Section 75 of Chapter 42 of Laws 2007 for a guardrail at the intersection of Zia and Rodeo roads in Santa Fe in Santa Fe county shall not be expended for the original purpose but is changed to plan, design

and construct a pedestrian railing at the intersection of Zia road and Camino Pintores in Santa Fe.

Chapter 83 Section 387 Laws 2008

Section 387. PUEBLO OF TESUQUE POLICE TRAINING FACILITY--CHANGE TO POLICE BUILDING EMERGENCY REPAIRS--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 7 of Section 115 of Chapter 126 of Laws 2004 for a classroom training institute for Native American police officers in the Pueblo of Tesuque in Santa Fe county shall not be expended for the original purpose but is changed to make emergency repairs to a police building in that pueblo.

Chapter 83 Section 388 Laws 2008

Section 388. PUEBLO OF TESUQUE LAW ENFORCEMENT TRAINING FACILITY--CHANGE TO POLICE BUILDING EMERGENCY REPAIRS--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 146 of Section 66 of Chapter 42 of Laws 2007 for a police training facility in the Pueblo of Tesuque in Santa Fe county shall not be expended for the original purpose but is changed to plan, design and construct emergency repairs to the police building in that pueblo.

Chapter 83 Section 389 Laws 2008

Section 389. PUEBLO OF TESUQUE MULTIPURPOSE LAW ENFORCEMENT FACILITY DESIGN--CHANGE TO POLICE BUILDING REPAIR--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 63 of Section 15 of Chapter 347 of Laws 2005 for designing a police training facility in the Pueblo of Tesuque in Santa Fe county shall not be expended for the original purpose but is changed to plan, design and construct emergency repairs to the police facility in that pueblo.

Chapter 83 Section 390 Laws 2008

Section 390. SIERRA COUNTY ADMINISTRATION COMPLEX--EXPAND PURPOSE TO INCLUDE IMPROVEMENTS--GENERAL FUND.--The local government division project in Subsection 639 of Section 52 of Chapter 111 of Laws 2006 to acquire property, plan, design and construct an administration building in Sierra county may include improvements.

Chapter 83 Section 391 Laws 2008

Section 391. SIERRA COUNTY ADMINISTRATION COMPLEX CONSTRUCT--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The local government division

project in Subsection 288 of Section 18 of Chapter 111 of Laws 2006 for acquiring property, planning, designing, constructing and equipping a county administration complex in Sierra county may include improvements to county buildings.

Chapter 83 Section 392 Laws 2008

Section 392. SIERRA COUNTY PADDLEWHEEL SCRAPER PURCHASE--CHANGE TO ROAD DEPARTMENT AND LANDFILL EQUIPMENT--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 70 of Section 13 of Chapter 111 of Laws 2006 for a paddlewheel scraper for the landfill in Sierra county shall not be expended for the original purpose but is appropriated to the local government division to purchase equipment for the road department and landfill in Sierra county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 393 Laws 2008

Section 393. AFFORDABLE HOUSING ACT PROJECTS STATEWIDE--EXPAND PURPOSE--GENERAL FUND.--The unexpended balance of the appropriation in Subsection 2 of Section 61 of Chapter 42 of Laws 2007 for infrastructure projects statewide pursuant to the Affordable Housing Act may include land, building and financing pursuant to the Affordable Housing Act.

Chapter 83 Section 394 Laws 2008

Section 394. CHARTER SCHOOLS STIMULUS FUND--REMOVING THE PURPOSE OF RENOVATING AND REMODELING EXISTING BUILDINGS AND THE RESTRICTION THAT NO ADMINISTRATIVE COSTS BE PAID--GENERAL FUND.--The unexpended balance of the appropriation to the charter schools stimulus fund in Laws 2007, Chapter 42, Section 39, which provided for initial costs of renovating and remodeling existing buildings and structures statewide, and which provided that no administrative costs may be paid from the appropriation, shall not be expended for the original purpose but is changed to be expended for the purposes of the charter schools stimulus fund pursuant to the provisions of Section 22-8B-14 NMSA 1978.

Chapter 83 Section 395 Laws 2008

Section 395. DNA IDENTIFICATION SYSTEM FUND PROJECTS INFORMATION TECHNOLOGY--EXPAND PURPOSE--GENERAL FUND.--The DNA identification system fund project in Laws 2007, Chapter 2, Section 14 to purchase and install information technology and wiring, including related equipment and furniture, in jails and detention centers statewide may include other locations statewide pursuant to Subsection E of Section 29-16-13 NMSA 1978.

Chapter 83 Section 396 Laws 2008

Section 396. NEW MEXICO HIGHLANDS UNIVERSITY INTERNATIONAL STUDENTS--CHANGE TO CANCER PATIENT SUPPORT SERVICES--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the board of regents of New Mexico highlands university in Paragraph (12) of Subsection 3 of Section 53 of Chapter 347 of Laws 2005 to recruit international students to attend New Mexico highlands university in Las Vegas in San Miguel county shall not be expended for the original purpose but is appropriated to the department of health for comprehensive community-based cancer patient support services, including education, patient library services, one-to-one matching with cancer veterans, survivorship support groups and an annual statewide survivorship conference statewide. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 397 Laws 2008

Section 397. CORRECTIONAL FACILITIES IMPROVEMENTS--CHANGE TO SANTA TERESA SAFETY INSPECTION STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation from the public buildings repair fund to the capital program fund in Paragraph (10) of Subsection B of Section 25 of Chapter 429 of Laws 2003 and reauthorized in Laws 2005, Chapter 347, Section 181 for improvements to the sewer lift station at southern New Mexico correctional facility in Dona Ana county and for improvements to wastewater systems at correctional facilities statewide shall not be expended for the original or reauthorized purposes but is changed to plan, design, construct, equip and furnish a safety inspection station at Santa Teresa in Dona Ana county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 398 Laws 2008

Section 398. SOUTHERN NEW MEXICO REHABILITATION CENTER LAUNDRY BUILDING RENOVATIONS--CHANGE TO SANTA TERESA SAFETY INSPECTION STATION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation from the public buildings repair fund to the capital program fund in Paragraph (6) of Subsection B of Section 25 of Chapter 429 of Laws 2003 to renovate the laundry building at the southern New Mexico rehabilitation center in Roswell shall not be expended for the original purpose but is changed to plan, design, construct, equip and furnish a safety inspection station at Santa Teresa in Dona Ana county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 399 Laws 2008

Section 399. STATE FACILITIES REPAIRS--CHANGE TO ENERGY EFFICIENCY PROJECTS IN STATE BUILDINGS--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation from the public buildings repair fund to the capital program fund in Paragraph (22) of Subsection B of Section 25 of Chapter 429 of Laws 2003 for repairs, improvements, equipment and furniture at state facilities shall not be expended for the original purpose but is changed to repair,

renovate and make improvements to state buildings statewide, including to plan, design, construct and equip rapid payback energy efficiency projects in state buildings, including lighting retrofits and heating, ventilation and air conditioning control upgrades. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 400 Laws 2008

Section 400. PECOS RIVER COMPACT SETTLEMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the interstate stream commission project in Laws 2007, Chapter 42, Section 89 to purchase land and water rights within the interstate stream commission's pricing guidelines and for the development of augmentation well fields and pipelines and related professional services is extended through fiscal year 2009.

Chapter 83 Section 401 Laws 2008

Section 401. PECOS RIVER COMPACT SETTLEMENT--EXTEND TIME--APPROPRIATION CONTINGENCY FUND.--The time of expenditure for the appropriation contingency fund and interstate stream commission projects originally authorized in Subsections A and B of Section 78 of Chapter 111 of Laws 2006 and reauthorized in Laws 2007, Chapter 341, Section 313 to purchase land and water rights within the interstate stream commission's existing pricing guidelines and for the development of augmentation well fields and pipelines and related professional services is extended through fiscal year 2009.

Chapter 83 Section 402 Laws 2008

Section 402. STATEWIDE PRE-KINDERGARTEN CLASSROOMS--CHANGE AGENCY--SEVERANCE TAX BONDS.--Five hundred thousand dollars (\$500,000) of the appropriation to the public education department in Subsection 122 of Section 8 of Chapter 111 of Laws 2006 to plan, design, construct, equip and furnish pre-kindergarten classrooms statewide is appropriated to the children, youth and families department for that purpose.

Chapter 83 Section 403 Laws 2008

Section 403. FORT BAYARD MEDICAL CENTER FIRE SYSTEM UPGRADE--CHANGE TO ENERGY EFFICIENCY PROJECTS IN STATE BUILDINGS--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 2 of Section 24 of Chapter 429 of Laws 2003 to upgrade the fire system at Fort Bayard medical center in Grant county shall not be expended for the original purpose but is changed to repair, renovate and make improvements to state buildings statewide, including to plan, design, construct and equip rapid payback energy efficiency projects in state buildings, including lighting retrofits and heating, ventilation and air conditioning control upgrades. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 404 Laws 2008

Section 404. WATER SYSTEMS AT CORRECTIONAL FACILITIES STATEWIDE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the property control division of the general services department project originally authorized in Subsection 9 of Section 25 of Chapter 429 of Laws 2003 and reauthorized in Laws 2005, Chapter 347, Section 180 for planning, designing and constructing improvements to the water and wastewater systems at correctional facilities statewide is extended through fiscal year 2009.

Chapter 83 Section 405 Laws 2008

Section 405. STATEWIDE NATIVE AMERICAN BEHAVIORAL HEALTH SERVICES FACILITIES INFRASTRUCTURE IMPROVE--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The local government division project in Subsection 26 of Section 23 of Chapter 42 of Laws 2007 for infrastructure improvements at Native American behavioral health services facilities statewide may include purchasing vehicles and purchasing and installing information technology, including related furniture, equipment and infrastructure.

Chapter 83 Section 406 Laws 2008

Section 406. IMPROVEMENTS AT EXPLORA SCIENCE CENTER AND CHILDREN'S MUSEUM--CHANGE TO VAN OF ENCHANTMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 75 of Section 22 of Chapter 429 of Laws 2003 for improvements at Explora science center and children's museum in Albuquerque shall not be expended for the original purpose but is appropriated to the cultural affairs department to purchase and equip the van of enchantment for use by museums and monuments statewide. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 407 Laws 2008

Section 407. WATER MEASUREMENT INVESTIGATION FACILITIES STATEWIDE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the office of the state engineer project in Subsection 7 of Section 12 of Chapter 429 of Laws 2003 for purchasing equipment for water measurement facilities statewide is extended through fiscal year 2010.

Chapter 83 Section 408 Laws 2008

Section 408. ACEQUIA DE EL VALLE ASSOCIATION DITCH REPAIR--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 11 of Section 13 of Chapter 429 of Laws 2003

for repairing the flood gate for the Acequia de El Valle association in Taos county is extended through fiscal year 2010.

Chapter 83 Section 409 Laws 2008

Section 409. CANON MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 44 of Section 14 of Chapter 429 of Laws 2003 for improving the Canon mutual domestic water consumers association in Taos county is extended through fiscal year 2010.

Chapter 83 Section 410 Laws 2008

Section 410. EL SALTO MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 55 of Section 14 of Chapter 429 of Laws 2003 for improving and equipping El Salto mutual domestic water consumers association in Taos county is extended through fiscal year 2010.

Chapter 83 Section 411 Laws 2008

Section 411. TAOS COUNTY CHAMISAL AND RANCHITOS COMMUNITY CENTER REPAIR--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 344 of Section 22 of Chapter 429 of Laws 2003 for purchasing, constructing, repairing, equipping and furnishing Chamisal and Ranchitos community centers in Taos county is extended through fiscal year 2010.

Chapter 83 Section 412 Laws 2008

Section 412. TAOS COUNTY CHILDREN'S RESIDENTIAL TREATMENT FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 339 of Section 22 of Chapter 429 of Laws 2003 for a children's residential treatment facility in Taos county is extended through fiscal year 2010.

Chapter 83 Section 413 Laws 2008

Section 413. TAOS COUNTY FIRE STATION CONSTRUCT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 343 of Section 22 of Chapter 429 of Laws 2003 for constructing a fire station in Taos county is extended through fiscal year 2010.

Chapter 83 Section 414 Laws 2008

Section 414. TAOS REGIONAL AIRPORT CIVIL AIR PATROL HANGAR--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 2 of Section 19 of Chapter 429 of Laws 2003 for a hangar for the civil air patrol at the Taos regional airport in Taos county is extended through fiscal year 2010.

Chapter 83 Section 415 Laws 2008

Section 415. AMALIA COMMUNITY CENTER IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 422 of Section 22 of Chapter 429 of Laws 2003 for improvements to the Amalia community center in Taos county is extended through fiscal year 2010.

Chapter 83 Section 416 Laws 2008

Section 416. ARROYO HONDO ACEQUIA ASSOCIATION CULVERTS--CHANGE TO ACEQUIA DE LA ATALAYA IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the interstate stream commission in Subsection 10 of Section 13 of Chapter 429 of Laws 2003 for culverts for the Arroyo Hondo acequia association in Taos county shall not be expended for the original purpose but is changed to plan, design and construct improvements to the acequia de la Atalaya in Arroyo Hondo. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 417 Laws 2008

Section 417. ARROYO HONDO ACEQUIA ASSOCIATION CULVERTS--CHANGE TO ACEQUIA DE LA PLAZA IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation originally appropriated in Subsection 107 of Section 43 of Chapter 126 of Laws 2004 and reauthorized to the interstate stream commission in Laws 2006, Chapter 107, Section 167 for culvert improvements for the Arroyo Hondo acequia association in Taos county shall not be expended for the original or reauthorized purpose but is changed to plan, design and construct improvements to acequia de la Plaza in Arroyo Hondo.

Chapter 83 Section 418 Laws 2008

Section 418. ARROYO HONDO WATER SYSTEM REPAIR AND IMPROVE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 54 of Section 14 of Chapter 429 of Laws 2003 for repairing and improving the water system in Arroyo Hondo in Taos county is extended through fiscal year 2010.

Chapter 83 Section 419 Laws 2008

Section 419. PUEBLO OF PICURIS MULTIPURPOSE BUILDING--EXPAND PURPOSE TO INCLUDE PAYMENT OF LOAN--GENERAL FUND.--One hundred thirty thousand dollars (\$130,000) of the unexpended balance of the appropriation to the Indian affairs department in Subsection 150 of Section 66 of Chapter 42 of Laws 2007 to repair and renovate the multipurpose building at the Pueblo of Picuris in Taos county is appropriated to the state board of finance to repay an emergency loan for that purpose.

Chapter 83 Section 420 Laws 2008

Section 420. PUEBLO OF PICURIS ROAD GRADERS--EXPAND TO INCLUDE EQUIPMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The Indian affairs department project in Subsection 44 of Section 16 of Chapter 111 of Laws 2006 to purchase road graders for the Pueblo of Picuris in Taos county may include purchasing equipment for road graders. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 421 Laws 2008

Section 421. RED RIVER VALLEY CHARTER SCHOOL BUILDING RENOVATE--EXPAND PURPOSE--GENERAL FUND.--The public education department project in Subsection 382 of Section 39 of Chapter 111 of Laws 2006 for renovating, improving and equipping a building for the Red River Valley charter school in the Questa independent school district in Taos county may include planning, designing, constructing, purchasing and installing a building for that charter school.

Chapter 83 Section 422 Laws 2008

Section 422. RED RIVER VALLEY CHARTER SCHOOL--EXPAND PURPOSE TO INCLUDE CONSTRUCTION--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the public education department in Laws 2007, Chapter 42, Section 12 to renovate and equip a building for the Red River Valley charter school in the Questa independent school district in Taos county may include planning, designing, purchasing and constructing that building.

Chapter 83 Section 423 Laws 2008

Section 423. TRUCHAS HEALTH CENTER ROOF--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 423 of Section 22 of Chapter 429 of Laws 2003 for a roof for the health centers of northern New Mexico clinic in Truchas in Rio Arriba county is extended through fiscal year 2010.

Chapter 83 Section 424 Laws 2008

Section 424. TORRANCE COUNTY CLERK EQUIP--CHANGE TO BUILDING CONSTRUCT--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 741 of Section 68 of Chapter 42 of Laws 2007 for equipping the county clerk in Torrance county shall not be expended for the original purpose but is changed to plan, design, construct, equip and purchase a building for the county clerk in Torrance county.

Chapter 83 Section 425 Laws 2008

Section 425. MORIARTY AND ESTANCIA TRAIL SYSTEM--CHANGE TO TORRANCE COUNTY ROAD DEPARTMENT VEHICLES AND EQUIPMENT--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 740 of Section 68 of Chapter 42 of Laws 2007 for constructing a multiuse trail system between Moriarty and Estancia in Torrance county shall not be expended for the original purpose but is appropriated to the department of transportation to purchase equipment and vehicles for the road department in Torrance county.

Chapter 83 Section 426 Laws 2008

Section 426. MOUNTAINAIR POLICE DEPARTMENT VEHICLES--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 752 of Section 68 of Chapter 42 of Laws 2007 for vehicles for the police department in Mountainair in Torrance county may include purchasing and equipping vehicles for the maintenance department in Mountainair.

Chapter 83 Section 427 Laws 2008

Section 427. MOUNTAINAIR SEWER SYSTEM UPGRADE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 47 of Section 14 of Chapter 429 of Laws 2003 for upgrading the Mountainair sewer system in Torrance county is extended through fiscal year 2010.

Chapter 83 Section 428 Laws 2008

Section 428. DES MOINES SENIOR VAN PURCHASE--EXPAND PURPOSE--GENERAL FUND.--The local government division project in Subsection 67 of Section 36 of Chapter 42 of Laws 2007 for purchasing and equipping a van for transporting seniors in Des Moines in Union county may include purchasing and equipping vehicles.

Chapter 83 Section 429 Laws 2008

Section 429. DES MOINES MUNICIPAL SCHOOL DISTRICT INDUSTRIAL ARTS CLASS EQUIP--CHANGE TO ROOF REPLACEMENTS--GENERAL FUND.--

The unexpended balance of the public education department appropriation originally authorized in Subsection 153 of Section 16 of Chapter 2 of Laws 2007 and reauthorized in Subsection I of Section 99 of Chapter 42 of Laws 2007 for equipping the industrial arts class in the Des Moines municipal school district in Union county shall not be expended for the original or reauthorized purpose but is changed to plan, design and construct roof replacements in that school district.

Chapter 83 Section 430 Laws 2008

Section 430. HIGHLAND MEADOWS FIRE DEPARTMENT WELL--CHANGE TO TANKER AND PUMPER PURCHASE--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the department of environment in Subsection 197 of Section 45 of Chapter 111 of Laws 2006 for constructing a well for the Highland Meadows volunteer fire department in Valencia county shall not be expended for the original purpose but is appropriated to the local government division to purchase and equip a tanker and pumper for the Highland Meadows fire department in that county.

Chapter 83 Section 431 Laws 2008

Section 431. VALENCIA COUNTY VOTING MACHINE WAREHOUSE--CHANGE TO RIO GRANDE ESTATES FIRE DEPARTMENT FACILITIES--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 362 of Section 22 of Chapter 429 of Laws 2003 for a voting machine warehouse in Valencia county shall not be expended for the original purpose but is changed to plan, design, construct and equip facilities for the Rio Grande Estates fire department in Valencia county. The time of expenditure is extended through fiscal year 2010.

Chapter 83 Section 432 Laws 2008

Section 432. THIRTEENTH JUDICIAL DISTRICT ATTORNEY'S OFFICE IMPROVE--CHANGE TO VALENCIA COUNTY BUILDING CONSTRUCT--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 713 of Section 52 of Chapter 111 of Laws 2006 for improving the thirteenth judicial district attorney's office in Los Lunas in Valencia county shall not be expended for the original purpose but is changed to plan, design and construct a county building in Valencia county.

Chapter 83 Section 433 Laws 2008

Section 433. BELEN HIGH SCHOOL PERFORMING ARTS BUILDING--CHANGE TO FIELD HOUSE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the public education department in Subsection 127 of Section 8 of Chapter 111 of Laws 2006 for a performing arts building at Belen high school in the Belen consolidated school district in Valencia county shall not be expended for the

original purpose but is changed to plan, design and construct the field house at that high school.

Chapter 83 Section 434 Laws 2008

Section 434. ARROYO HONDO ACEQUIA ASSOCIATION CULVERT IMPROVEMENTS--CHANGE TO ACEQUIA MADRE IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation originally authorized in Subsection 12 of Section 138 of Chapter 126 of Laws 2004 and reappropriated to the interstate stream commission in Laws 2006, Chapter 107, Section 171 for culvert improvements for the Arroyo Hondo acequia association in Taos county shall not be expended for the original or reauthorized purpose but is changed to plan, design and construct improvements to the acequia madre in Arroyo Hondo in Taos county.

Chapter 83 Section 435 Laws 2008

Section 435. LAS CRUCES AIRPORT CIVIL AIR PATROL HANGAR--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of military affairs in Laws 2006, Chapter 111, Section 19 to plan, design, construct and equip a civil air patrol hangar at the Las Cruces airport in Dona Ana county may include furnishing, expanding and purchase of a modular for the air patrol hangar and office.

Chapter 83 Section 436 Laws 2008

Section 436. TAOS COUNTY WEST RIM ROAD IMPROVEMENTS--CHANGE ESTIMATED COST--LOCAL GOVERNMENT TRANSPORTATION FUND.--To correct an erroneous estimate for the department of transportation project in Subsection 104 of Section 4 of Chapter 3 of Laws 2007 (1st S.S.), the correct amount of the estimate is three million five hundred thousand dollars (\$3,500,000).

Chapter 83 Section 437 Laws 2008

Section 437. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

SFL/Senate Bill 352, as amended, with emergency clause, with certificate of correction

Approved March 3, 2008

LAWS 2008, CHAPTER 84

AN ACT

RELATING TO GOVERNMENT ADMINISTRATION; REQUIRING THE DEPARTMENT OF INFORMATION TECHNOLOGY TO PREPARE EQUIPMENT REPLACEMENT PLANS; AUTHORIZING EQUIPMENT REPLACEMENT REVOLVING FUNDS.

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

Chapter 84 Section 1 Laws 2008

Section 1. Section 9-27-1 NMSA 1978 (being Laws 2007, Chapter 290, Section 1) is amended to read:

"9-27-1. SHORT TITLE.--Chapter 9, Article 27 NMSA 1978 may be cited as the "Department of Information Technology Act"."

Chapter 84 Section 2 Laws 2008

Section 2. A new section of the Department of Information Technology Act is enacted to read:

"EQUIPMENT REPLACEMENT PLANS--EQUIPMENT REPLACEMENT REVOLVING FUNDS.--

A. In order to plan for the expenditure of capital

investments necessary to provide goods and services to the state and its agencies and to local public bodies and other enterprise customers, the department shall establish and maintain an equipment replacement plan for each of the department's enterprise functions. No later than December 1 of each year, the plans shall be submitted to the department of finance and administration, the information technology commission and the legislature, accompanied by a reconciliation report of the preceding fiscal year reflecting financial activity in each of the equipment replacement revolving funds established pursuant to this section.

B. Upon the request of the secretary, the state treasurer shall establish in the state treasury such "equipment replacement revolving funds" as are necessary to administer each of the department's enterprise functions. The revolving funds shall consist of legislative appropriations to the funds and transfers made to the funds pursuant to Subsections C and D of this section. Income from investment of the revolving funds shall be credited back to the funds, and money in the funds shall not revert at the end of a fiscal year. Expenditures from the funds shall only be made pursuant to an appropriation from the legislature and only for the purpose of acquiring and replacing capital equipment used to provide enterprise services pursuant to the department's equipment replacement plans.

C. The department shall record amounts due to the equipment replacement revolving funds each fiscal year, based on the calculation of depreciation applicable to each enterprise service as reflected in the department's published cost structures for calculation of rates for services. Transfers to the funds shall be made from the operating funds of each enterprise in amounts that reconcile with the recorded amounts due. The recording of amounts due to the equipment replacement revolving funds and the transfer of the funds shall be consistent with generally accepted accounting principles.

D. The department may make initial transfers from its operating funds to establish the beginning fund balances as of July 1, 2008."

House Bill 517, as amended

Approved March 4, 2008

LAWS 2008, CHAPTER 85

AN ACT

RELATING TO MOTOR VEHICLES; DESIGNATING A SPECIAL CITY OF LAS CRUCES REGISTRATION PLATE; MAKING AN APPROPRIATION.

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

Chapter 85 Section 1 Laws 2008

Section 1. A new section of the Motor Vehicle Code is enacted to read:

"SPECIAL CITY OF LAS CRUCES REGISTRATION PLATE-- PROCEDURES-- FEE--APPROPRIATION.--

A. The department shall issue standardized special "City of Las Cruces" registration plates with a logo pursuant to Section 66-3-424 NMSA 1978 indicating that the recipient is a resident of the city of Las Cruces and shall adopt procedures for application for and issuance of the special City of Las Cruces registration plate. The secretary shall approve the final logo design for the special City of Las Cruces registration plate.

B. The owner of a motor vehicle who is a resident of the city of Las Cruces may apply for the issuance of a special registration plate as provided in Subsection A of this section. The owner shall pay a fee of thirty-five dollars (\$35.00) for the initial issuance of a special City of Las Cruces registration plate and the same fee for each subsequent year in which the owner wishes to retain and renew the special City of Las

Cruces registration plate. The fee specified in this section is in addition to regular applicable motor vehicle registration fees. No two owners shall be issued identically lettered or numbered plates.

C. The revenue from the special City of Las Cruces registration plate fee imposed by Subsection B of this section shall be distributed as follows:

(1) ten dollars (\$10.00) of the fee collected for each registration plate shall be retained by the department and is appropriated to the department for the manufacture and issuance of the registration plates; and

(2) twenty-five dollars (\$25.00) of the fee collected for each registration plate shall be paid to the state treasurer and is appropriated to the city of Las Cruces recreation fund 2130.

D. When a person holding a special City of Las Cruces registration plate ceases to reside in Las Cruces, that person shall immediately remove the special City of Las Cruces registration plate from the vehicle and return it to the department, at which time it shall be exchanged for a regular registration plate."

House Bill 168

Approved March 4, 2008

LAWS 2008, CHAPTER 86

AN ACT

RELATING TO HEALTH CARE REFORM; ESTABLISHING A HEALTHY NEW MEXICO TASK FORCE TO DEVISE A STRATEGIC PLAN FOR IMPLEMENTING DISEASE PREVENTION AND CHRONIC CONDITION AND CHRONIC DISEASE MANAGEMENT MEASURES.

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

Chapter 86 Section 1 Laws 2008

Section 1. TEMPORARY PROVISION--HEALTHY NEW MEXICO TASK FORCE--MEMBERSHIP--DUTIES.--

A. By July 1, 2008, the secretary of health shall convene a healthy New Mexico task force to devise a comprehensive five-year strategic plan for preventing disease and managing chronic conditions for public and private programs. The healthy New Mexico task force shall report on its strategic plan to the interim legislative health

and human services committee by June 30, 2009. The healthy New Mexico task force shall work in conjunction with the national institutes of health, the New Mexico health policy commission, the New Mexico medical society or other boards, commissions, departments, agencies, authorities, organizations and persons necessary to provide appropriate expertise to devise the strategic plan. The strategic plan shall contain recommendations for reducing overall demand for high-cost medical and behavioral health treatments, thereby reducing or moderating the increase in health care costs.

B. The healthy New Mexico task force's strategic plan shall include the following features:

(1) a plan for hiring the services of persons specializing in disease management to control costs and encourage healthy lifestyles in the state employees group benefits self-insurance plan, with the objective of guaranteeing savings to the state employees group benefits self-insurance plan;

(2) recommendations on implementing the primary care case management project to pay medicaid

fee-for-service providers a capitated rate for managing patients' health status and treatment, and the healthy New Mexico task force shall recommend the areas of the state where this project can be implemented cost effectively;

(3) recommendations on requirements for private health insurers and group health plans to reward providers for controlling chronic diseases and chronic conditions; and

(4) recommendations for funding and implementing a pilot program to integrate prevention, early intervention and case management in one targeted community that the healthy New Mexico task force has identified as being underserved as relating to health care services. The pilot program shall focus especially, but not exclusively, upon diabetes and obesity prevention, intervention and case management.

C. As used in this section:

(1) "chronic condition" or "chronic disease" means a disease or condition that has a prolonged course, that does not resolve spontaneously, involves functional impairment or disability for which a complete cure is rarely achieved and that may require ongoing medical care;

(2) "chronic condition management" or "chronic disease management" means a system of coordinated health care interventions and communications for individuals with chronic diseases or chronic conditions, including significant patient self-care efforts, system supports for provider and patient relationships and a plan of care emphasizing prevention of complications utilizing

evidence-based practice guidelines, patient empowerment strategies and evaluation of clinical, humanistic and economic outcomes on an ongoing basis with the goal of improving overall health; and

(3) "disease management" means health care services, including patient education, monitoring, data collection and reporting, designed to improve health outcomes in defined populations with selected chronic diseases.

Senate Bill 129, as amended

Approved March 4, 2008

LAWS 2008, CHAPTER 87

AN ACT

RELATING TO INSURANCE; ELIMINATING IN CERTAIN CASES THE INITIAL TWO-YEAR PERIOD WHEN A HEALTH INSURANCE POLICY MAY BE VOIDED OR A CLAIM FOR LOSS DENIED; RAISING THE MINIMUM AMOUNT OF THE MAXIMUM LIMIT OF COVERAGE FOR POLICIES UNDER THE MINIMUM HEALTHCARE PROTECTION ACT; CHANGING A REQUIREMENT FOR DETERMINING A PERIOD OF CREDITABLE COVERAGE UNDER THE HEALTH INSURANCE PORTABILITY ACT.

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

Chapter 87 Section 1 Laws 2008

Section 1. Section 59A-22-5 NMSA 1978 (being Laws 1984, Chapter 127, Section 426, as amended) is amended to read:

"59A-22-5. TIME LIMIT ON CERTAIN DEFENSES.--

A. There shall be a provision for comprehensive major medical policies as follows: As of the date of issue of this policy, no misstatements, except willful or fraudulent misstatements, made by the applicant in the application for this policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy). In the event a misstatement in an application is made that is not fraudulent or willful, the issuer of the policy may prospectively rate and collect from the insured the premium that would have been charged to the insured at the time the policy was issued had such misstatement not been made.

B. There shall be a provision for policies other than comprehensive major medical policies as follows: After two years from the date of issue of this policy, no

misstatements, except fraudulent misstatements, made by the applicant in the application for this policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such two-year period.

C. The foregoing policy provisions

shall not be so construed as to affect any initial two-year period nor to limit the application of Sections 59A-22-17 through 59A-22-19, 59A-22-21 and 59A-22-22 NMSA 1978 in the event of misstatement with respect to age or occupation or other insurance.

D. A policy that the insured has the right to continue in force subject to its terms by the timely payment of premium (1) until at least age fifty or (2) in the case of a policy issued after age forty-four, for at least five years from its date of issue, may contain in lieu of the foregoing the following provision, from which the clause in parentheses may be omitted at the insurance company's option, under the caption "Incontestable":

After this policy has been in force for a period of two years during the lifetime of the insured (excluding any period during which the insured is disabled), it shall become incontestable as to the statements contained in the application.

E. For individual policies that do not reimburse or pay as a result of hospitalization, medical or surgical expenses, no claim for loss incurred or disability (as defined in the policy) shall be reduced or denied on the ground that a disease or physical condition disclosed on the application and not excluded from coverage by name or a specific description effective on the date of loss had existed prior to the effective date of coverage of this policy. As an alternative, those policies may contain provisions under which coverage may be excluded for a period of six months following the effective date of coverage as to a given covered insured for a preexisting condition, provided that:

(1) the condition manifested itself within a period of six months prior to the effective date of coverage in a manner that would cause a reasonably prudent person to seek diagnosis, care or treatment; or

(2) medical advice or treatment relating to the condition was recommended or received within a period of six months prior to the effective date of coverage.

F. Individual policies that reimburse or pay as a result of hospitalization, medical or surgical expenses may contain provisions under which coverage is excluded during a period of six months following the effective date of coverage as to a given covered insured for a preexisting condition, provided that:

(1) the condition manifested itself within a period of six months prior to the effective date of coverage in a manner that would cause a reasonably prudent person to seek diagnosis, care or treatment; or

(2) medical advice or treatment relating to the condition was recommended or received within a period of six months prior to the effective date of coverage.

G. The preexisting condition exclusions authorized in Subsections E and F of this section shall be waived to the extent that similar conditions have been satisfied under any prior health insurance coverage if the application for new coverage is made not later than thirty-one days following the termination of prior coverage. In that case, the new coverage shall be effective from the date on which the prior coverage terminated.

H. Nothing in this section shall be construed to require the use of preexisting conditions or prohibit the use of preexisting conditions that are more favorable to the insured than those specified in this section."

Chapter 87 Section 2 Laws 2008

Section 2. Section 59A-23B-3 NMSA 1978 (being Laws 1991, Chapter 111, Section 3, as amended) is amended to read:

"59A-23B-3. POLICY OR PLAN--DEFINITION--CRITERIA.--

A. For purposes of the Minimum Healthcare Protection Act, "policy or plan" means a healthcare benefit policy or healthcare benefit plan that the insurer, fraternal benefit society, health maintenance organization or nonprofit healthcare plan chooses to offer to individuals, families or groups of fewer than twenty members formed for purposes other than obtaining insurance coverage and that meets the requirements of Subsection B of this section. For purposes of the Minimum Healthcare Protection Act, "policy or plan" shall not mean a healthcare policy or healthcare benefit plan that an insurer, health maintenance organization, fraternal benefit society or nonprofit healthcare plan chooses to offer outside the authority of the Minimum Healthcare Protection Act.

B. A policy or plan shall meet the following criteria:

(1) the individual, family or group obtaining coverage under the policy or plan has been without healthcare insurance, a health services plan or

employer-sponsored healthcare coverage for the six-month period immediately preceding the effective date of its coverage under a policy or plan, provided that the six-month period shall not apply to:

(a) a group that has been in existence for less than six months and has been without healthcare coverage since the formation of the group;

(b) an employee whose healthcare coverage has been terminated by an employer;

(c) a dependent who no longer qualifies as a dependent under the terms of the contract; or

(d) an individual and an individual's dependents who no longer have healthcare coverage as a result of termination or change in employment of the individual or by reason of death of a spouse or dissolution of a marriage, notwithstanding rights the individual or individual's dependents may have to continue healthcare coverage on a self-pay basis pursuant to the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1985;

(2) the policy or plan includes the following managed care provisions to control costs:

(a) an exclusion for services that are not medically necessary or are not covered by preventive health services; and

(b) a procedure for preauthorization of elective hospital admissions by the insurer, fraternal benefit society, health maintenance organization or nonprofit healthcare plan; and

(3) subject to a maximum limit on the cost of healthcare services covered in any calendar year of not less than fifty thousand dollars (\$50,000) and, effective for policies written or renewed on or after January 1, 2009, of not less than one hundred thousand dollars (\$100,000), adjusted for changes not to exceed the medical price index component of the federal department of labor's consumer price index at intervals and in a manner established by rule pursuant to the Minimum Healthcare Protection Act, the policy or plan provides the following minimum healthcare services to covered individuals:

(a) inpatient hospitalization coverage or home care coverage in lieu of hospitalization or a combination of both, not to exceed twenty-five days of coverage inclusive of any deductibles, co-payments or

co-insurance; provided that a period of inpatient hospitalization coverage shall precede any home care coverage;

(b) prenatal care, including a minimum of one prenatal office visit per month during the first two trimesters of pregnancy, two office visits per month during the seventh and eighth months of pregnancy and one office visit per week during the ninth month and until term; provided that coverage for each office visit shall also

include prenatal counseling and education and necessary and appropriate screening, including history, physical examination and the laboratory and diagnostic procedures deemed appropriate by the physician based upon recognized medical criteria for the risk group of which the patient is a member;

(c) obstetrical care, including physicians' and certified nurse midwives' services, delivery room and other medically necessary services directly associated with delivery;

(d) well-baby and well-child care, including periodic evaluation of a child's physical and emotional status, a history, a complete physical examination, a developmental assessment, anticipatory guidance, appropriate immunizations and laboratory tests in keeping with prevailing medical standards; provided that such evaluation and care shall be covered when performed at approximately the age intervals of birth, two weeks, two months, four months, six months, nine months, twelve months, fifteen months, eighteen months, two years, three years, four years, five years and six years;

(e) coverage for low-dose screening mammograms for determining the presence of breast cancer; provided that the mammogram coverage shall include one baseline mammogram for persons age thirty-five through thirty-nine years, one biennial mammogram for persons age forty through forty-nine years and one annual mammogram for persons age fifty years and over; and further provided that the mammogram coverage shall only be subject to deductibles and co-insurance requirements consistent with those imposed on other benefits under the same policy or plan;

(f) coverage for cytologic screening, to include a Papanicolaou test and pelvic exam for asymptomatic as well as symptomatic women;

(g) a basic level of primary and preventive care, including no less than seven physician, nurse practitioner, nurse midwife or physician assistant office visits per calendar year, including any ancillary diagnostic or laboratory tests related to the office visit;

(h) coverage for childhood immunizations, in accordance with the current schedule of immunizations recommended by the American academy of pediatrics, including coverage for all medically necessary booster doses of all immunizing agents used in childhood immunizations; provided that coverage for childhood immunizations and necessary booster doses may be subject to deductibles and co-insurance consistent with those imposed on other benefits under the same policy or plan; and

(i) coverage for smoking cessation treatment.

C. A policy or plan may include the following managed care and cost control features to control costs:

(1) a panel of providers who have entered into written agreements with the insurer, fraternal benefit society, health maintenance organization or nonprofit healthcare plan to provide covered healthcare services at specified levels of reimbursement; provided that such written agreement shall contain a provision relieving the individual, family or group covered by the policy or plan from an obligation to pay for a healthcare service performed by the provider that is determined by the insurer, fraternal benefit society, health maintenance organization or nonprofit healthcare plan not to be medically necessary;

(2) a requirement for obtaining a second opinion before elective surgery is performed;

(3) a procedure for utilization review by the insurer, fraternal benefit society, health maintenance organization or nonprofit healthcare plan; and

(4) a maximum limit on the cost of healthcare services covered in a calendar year of not less than fifty thousand dollars (\$50,000) and, effective for policies written or renewed on or after January 1, 2009, of not less than one hundred thousand dollars (\$100,000), adjusted for changes not to exceed the medical price index component of the federal department of labor's consumer price index at intervals and in a manner established by rule pursuant to the Minimum Healthcare Protection Act.

D. Nothing contained in Subsection C of this section shall prohibit an insurer, fraternal benefit society, health maintenance organization or nonprofit healthcare plan from including in the policy or plan additional managed care and cost control provisions that the superintendent determines to have the potential for controlling costs in a manner that does not cause discriminatory treatment of individuals, families or groups covered by the policy or plan.

E. Notwithstanding any other provisions of law, a policy or plan shall not exclude coverage for losses incurred for a preexisting condition more than six months from the effective date of coverage. The policy or plan shall not define a preexisting condition more restrictively than a condition for which medical advice was given or treatment recommended by or received from a physician within six months before the effective date of coverage.

F. A medical group, independent practice association or health professional employed by or contracting with an insurer, fraternal benefit society, health maintenance organization or nonprofit healthcare plan shall not maintain an action against an insured person, family or group member for sums owed by an insurer, fraternal benefit society, health maintenance organization or nonprofit healthcare plan that are higher than those agreed to pursuant to a policy or plan."

Chapter 87 Section 3 Laws 2008

Section 3. Section 59A-23E-5 NMSA 1978 (being Laws 1997, Chapter 243, Section 5, as amended) is amended to read:

"59A-23E-5. GROUP HEALTH PLAN--RULES FOR CREDITING PREVIOUS COVERAGE.--

A. A period of creditable coverage shall not be counted with respect to enrollment of an individual under a group health plan if, after the period and before the enrollment date, there was a ninety-five-day continuous period during which the individual was not covered under any creditable coverage.

B. In determining the continuous period for the purpose of Subsection A of this section, any period that an individual is in a waiting period for any coverage under a group health plan or for group health insurance coverage or is in an affiliation period shall not be counted."

Chapter 87 Section 4 Laws 2008

Section 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

Senate Bill 226, as amended

Approved March 4, 2008

LAWS 2008, CHAPTER 88

AN ACT

RELATING TO INSURANCE; REVISING DEFINITIONS AND ELIGIBILITY CRITERIA IN THE MEDICAL INSURANCE POOL ACT; CLARIFYING

LIFETIME MAXIMUM BENEFIT LEVELS IN NEW MEXICO INSURANCE POOL POLICIES; CLARIFYING SMALL GROUP POLICIES.

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

Chapter 88 Section 1 Laws 2008

Section 1. Section 59A-54-3 NMSA 1978 (being Laws 1987, Chapter 154, Section 3, as amended) is amended to read:

"59A-54-3. DEFINITIONS.--As used in the Medical Insurance Pool Act:

A. "board" means the board of directors of the pool;

B. "creditable coverage" means, with respect to

an individual, coverage of the individual pursuant to:

(1) a group health plan;

(2) health insurance coverage;

(3) Part A or Part B of Title 18 of the Social Security Act;

(4) Title 19 of the Social Security Act except coverage consisting solely of benefits pursuant to Section 1928 of that title;

(5) 10 USCA Chapter 55;

(6) the Medical Insurance Pool Act;

(7) a health plan offered pursuant to

5USCA Chapter 89;

(8) a public health plan as defined in federal regulations; or

(9) a health benefit plan offered pursuant to Section 5(e) of the federal Peace Corps Act;

C. "federally defined eligible individual" means an individual:

(1) for whom, as of the date on which the individual seeks coverage under the Medical Insurance Pool Act, the aggregate of the periods of creditable coverage is eighteen or more months;

(2) whose most recent prior creditable coverage was under a group health plan, governmental plan, church plan or health insurance coverage, as those plans or coverage are defined in Section 59A-23E-2 NMSA 1978, offered in connection with that plan;

(3) who is not eligible for coverage under

a group health plan, Part A or Part B of Title 18 of the Social Security Act or a state plan under Title 19 or Title 21 of the Social Security Act or a successor program and who does not have other health insurance coverage;

(4) with respect to whom the most recent coverage within the period of aggregate creditable coverage was not terminated based on a factor relating to nonpayment of premiums or fraud;

(5) who, if offered the option of continuation of coverage under a continuation provision pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1985 or a similar state program, elected this coverage; and

(6) who has exhausted continuation coverage under this provision or program, if the individual elected the continuation coverage described in Paragraph (5) of this subsection;

D. "health care facility" means an entity providing health care services that is licensed by the department of health;

E. "health care services" means services or products included in the furnishing to an individual of medical care or hospitalization, or incidental to the furnishing of that care or hospitalization, as well as the furnishing to a person of other services or products for the purpose of preventing, alleviating, curing or healing human illness or injury;

F. "health insurance" means a hospital and medical expense-incurred policy; nonprofit health care service plan contract; health maintenance organization subscriber contract; short-term, accident, fixed indemnity or specified disease policy; disability income contracts; limited benefit insurance; credit insurance; or as defined by Section 59A-7-3 NMSA 1978. "Health insurance" does not include insurance arising out of the Workers' Compensation Act or similar law, automobile medical payment insurance or insurance under which benefits are payable with or without regard to fault and that is required by law to be contained in a liability insurance policy;

G. "health maintenance organization" means a person who provides, at a minimum, either directly or through contractual or other arrangements with others, basic health care services to enrollees on a fixed prepayment basis and who is responsible for the availability, accessibility and quality of the health care services provided or arranged, or as defined by Subsection M of Section 59A-46-2 NMSA 1978;

H. "health plan" means an arrangement by which persons, including dependents or spouses, covered or making application to be covered under the pool have access to hospital and medical benefits or reimbursement, including group or individual insurance or subscriber contract; coverage through health maintenance organizations, preferred provider organizations or other alternate delivery systems; coverage under prepayment, group practice or individual practice plans; coverage under uninsured arrangements of group or group-type contracts, including employer

self-insured, cost-plus or other benefits methodologies not involving insurance or not subject to New Mexico premium taxes; coverage under group-type contracts that are

not available to the general public and can be obtained only because of connection with a particular organization or group; and coverage by medicare or other governmental benefits. "Health plan" includes coverage through health insurance;

I. "insured" means an individual resident of this state who is eligible to receive benefits from an insurer or other health plan;

J. "insurer" means an insurance company

authorized to transact health insurance business in this state, a nonprofit health care plan, a health maintenance organization and self-insurers not subject to federal preemption. "Insurer" does not include an insurance company that is licensed under the Prepaid Dental Plan Law or a company that is solely engaged in the sale of dental insurance and is licensed not under that act, but under another provision of the Insurance Code;

K. "medicare" means coverage under Part A or Part B of Title 18 of the Social Security Act, as amended;

L. "pool" means the New Mexico medical insurance pool;

M. "preexisting condition" means a physical or mental condition for which medical advice, medication, diagnosis, care or treatment was recommended for or received by an applicant within six months before the effective date of coverage, except that pregnancy is not considered a preexisting condition for a federally defined eligible individual; and

N. "therapist" means a licensed physical, occupational, speech or respiratory therapist."

Chapter 88 Section 2 Laws 2008

Section 2. Section 59A-54-12 NMSA 1978 (being Laws 1987, Chapter 154, Section 12, as amended) is amended to read:

"59A-54-12. ELIGIBILITY--POLICY PROVISIONS.--

A. Except as provided in Subsection B of this section, a person is eligible for a pool policy only if on the effective date of coverage or renewal of coverage the person is a New Mexico resident, and:

(1) is not eligible as an insured or covered dependent for a health plan that provides coverage for comprehensive major medical or comprehensive physician and hospital services;

(2) is currently paying a rate for a health plan that is higher than one hundred twenty-five percent of the pool's standard rate;

(3) has a mental health diagnosis and has individual health insurance coverage that does not include coverage for mental health services;

(4) has been rejected for coverage for comprehensive major medical or comprehensive physician and hospital services;

(5) is only eligible for a health plan with a rider, waiver or restrictive provision for that particular individual based on a specific condition;

(6) has a medical condition that is listed on the pool's prequalifying conditions;

(7) has as of the date the individual seeks coverage from the pool an aggregate of eighteen or more months of creditable coverage, the most recent of which was under a group health plan, governmental plan or church plan as defined in Subsections P, N and D, respectively, of Section 59A-23E-2 NMSA 1978, except, for the purposes of aggregating creditable coverage, a period of creditable coverage shall not be counted with respect to enrollment of an individual for coverage under the pool if, after that period and before the enrollment date, there was a

ninety-five day or longer period during all of which the individual was not covered under any creditable coverage; or

(8) is entitled to continuation coverage pursuant to Section 59A-23E-19 NMSA 1978.

B. Notwithstanding the provisions of Subsection A of this section:

(1) a person's eligibility for a policy issued under the Health Insurance Alliance Act shall not preclude a person from remaining on or purchasing a pool policy; provided that a self-employed person who qualifies for an approved health plan under the Health Insurance Alliance Act by using a dependent as the second employee may choose a pool policy in lieu of the health plan under that act; and

(2) if a pool policyholder becomes eligible for any group health plan, the policyholder's pool coverage shall not be involuntarily terminated until any preexisting condition period imposed on the policyholder by the plan has been exhausted.

C. Coverage under a pool policy is in excess of and shall not duplicate coverage under any other form of health insurance.

D. A policyholder's newborn child or newly adopted child is automatically eligible for thirty-one consecutive calendar days of coverage for an additional premium.

E. Except for a person eligible as provided in Paragraph (7) of Subsection A of this section, a pool policy may contain provisions under which coverage is excluded during a six-month period following the effective date of coverage as to a given individual for preexisting conditions.

F. The preexisting condition exclusions described in Subsection E of this section shall be waived to the extent to which similar exclusions have been satisfied under any prior health insurance coverage that was involuntarily terminated, if the application for pool coverage is made not later than ninety-five days following the involuntary termination. In that case, coverage in the pool shall be effective from the date on which the prior coverage was terminated. This subsection does not prohibit preexisting conditions coverage in a pool policy that is more favorable to the insured than that specified in this subsection.

G. An individual is not eligible for coverage by the pool if:

(1) except as provided in Subsection I of

this section, the individual is, at the time of application, eligible for medicare or medicaid that would provide coverage for amounts in excess of limited policies such as dread disease, cancer policies or hospital indemnity policies;

(2) the individual has voluntarily terminated coverage by the pool within the past twelve months and did not have other continuous coverage during that time, except that this paragraph shall not apply to an applicant who is a federally defined eligible individual;

(3) the individual is an inmate of a public institution or is eligible for public programs for which medical care is provided;

(4) the individual is eligible for coverage under a group health plan;

(5) the individual has health insurance coverage as defined in Subsection R of Section 59A-23E-2 NMSA 1978;

(6) the most recent coverages within the coverage period described in Paragraph (7) of Subsection A of this section were terminated as a result of nonpayment of premium or fraud; or

(7) the individual has been offered the

option of continuation coverage under a federal COBRA continuation provision as defined in Subsection F of Section 59A-23E-2 NMSA 1978 or under a similar state

program and the individual has elected the coverage and did not exhaust the continuation coverage under the provision or program, provided, however, that an unemployed former employee who has not exhausted COBRA coverage shall be eligible.

H. A person whose health insurance coverage from a qualified state high risk pool health policy is terminated because of nonresidency in another state may apply for coverage under the pool. If the coverage is applied for within ninety-five days after that termination and if premiums are paid for the entire coverage period, the effective date of the coverage shall be the date of termination of the previous coverage.

I. The board may issue a pool policy for individuals who:

(1) are enrolled in both Part A and Part B of medicare because of a disability; and

(2) except for the eligibility for medicare, would otherwise be eligible for coverage pursuant to the

criteria of this section."

Chapter 88 Section 3 Laws 2008

Section 3. Section 59A-54-13 NMSA 1978 (being Laws 1987, Chapter 154, Section 13, as amended) is amended to read:

"59A-54-13. BENEFITS.--

A. The health insurance policy issued by the pool shall pay for medically necessary eligible health care services rendered or furnished for the diagnoses or treatment of illness or injury that exceed the deductible and coinsurance amounts applicable under Section 59A-54-14 NMSA 1978 and are not otherwise limited or excluded. Eligible expenses are the charges for the health care services and items for which benefits are extended under the pool policy. The coverage to be issued by the pool and its schedule of benefits, exclusions and other limitations shall be established by the board and shall, at a minimum, reflect the levels of health insurance coverage generally available in New Mexico for small group policies; provided that a health insurance policy issued by the pool shall not include a lifetime maximum benefit. The superintendent shall approve the benefit package developed by the board to ensure its compliance with the Medical Insurance Pool Act. The benefit package shall include therapy services and hearing aids.

B. The Medical Insurance Pool Act shall not be construed to prohibit the pool from issuing additional types of health insurance policies with different types of benefits that, in the opinion of the board, may be of benefit to the citizens of New Mexico.

C. The board may design and employ cost containment measures and requirements, including preadmission certification and concurrent inpatient review, for the purpose of making the pool more cost effective."

Chapter 88 Section 4 Laws 2008

Section 4. Section 59A-54-16 NMSA 1978 (being Laws 1987, Chapter 154, Section 16, as amended) is amended to read:

"59A-54-16. POOL POLICY.--

A. A pool policy offered under the Medical Insurance Pool Act shall contain provisions under which the pool is obligated to renew the contract until the day on which the individual in whose name the contract is issued first becomes eligible for medicare coverage, except that in a family policy covering both husband and wife, the age of the younger spouse shall be used as the basis for meeting the durational requirement of this subsection.

B. The pool shall not change the rates for pool policies except on a class basis with a clear disclosure in the policy of the right of the pool to do so.

C. In the case of a small group policy, a pool policy offered under the Medical Insurance Pool Act shall provide covered family members the right to continue the policy as the named insured or through a conversion policy upon the death of the named insured or upon the divorce, annulment or dissolution of marriage or legal separation of the spouse from the named insured by election to do so within a period of time specified in the contract subject to the requirements of this section."

Senate Bill 391, as amended

Approved March 4, 2008

LAWS 2008, CHAPTER 89

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
INVESTIGATING THE FEASIBILITY OF REFUNDS TO NATIVE AMERICAN
VETERANS FOR STATE PERSONAL INCOME TAXES IMPROPERLY WITHHELD
FROM MILITARY PAY; DECLARING AN EMERGENCY.

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

Chapter 89 Section 1 Laws 2008

Section 1. LEGISLATIVE FINDINGS.--

A. Native Americans have had a long history of serving their country through active duty in the armed forces of the United States during periods of both war and peace and have made great sacrifices in serving their country through active duty in the military during periods of war and peace.

B. Native American veterans domiciled on tribal lands during their periods of active military service may have been exempt from paying state personal income taxes on their military income, but may have had state personal income taxes improperly withheld from their military income.

C. Native American veterans now are barred by the state statute of limitations from claiming refunds of state personal income taxes that may have been improperly withheld from their military income, and even if not barred by the statute of limitations, the passage of time extending to decades will make it difficult for many Native American veterans to meet strict standards of proof that they are entitled to a refund of improperly withheld state personal income taxes.

D. It is incumbent upon the state to ensure that it was not unjustly enriched by the improper withholding of state personal income taxes from Native American veterans, and the state should implement a feasible means of refunding to Native American veterans any state personal income taxes that were improperly withheld from military pay.

Chapter 89 Section 2 Laws 2008

Section 2. DEFINITIONS.--As used in this act:

A. "department" means the veterans' services department;

B. "fund" means the Native American veterans' income tax settlement fund; and

C. "secretary" means the secretary of veterans' services.

Chapter 89 Section 3 Laws 2008

Section 3. NATIVE AMERICAN VETERANS' INCOME TAX SETTLEMENT FUND--CREATED--PURPOSE--APPROPRIATIONS.--

A. The "Native American veterans' income tax settlement fund" is created as a nonreverting fund in the state treasury and shall be administered by the department. The fund shall consist of money that is appropriated or donated or that

otherwise accrues to the fund. Money in the fund shall be invested by the state investment officer in the manner that land grant permanent funds are invested pursuant to Chapter 6, Article 8 NMSA 1978. Income from investment of the fund shall be credited to the fund.

B. The department shall establish procedures and adopt rules as required to administer the fund and to make settlement payments from the fund as approved by the secretary.

C. Money in the fund is appropriated to the department to make settlement payments to Native American veterans who had state personal income taxes improperly withheld from their military pay. Money shall be disbursed from the fund only on warrant of the secretary of finance and administration upon vouchers signed by the secretary of veterans' services or the secretary's authorized representative. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

Chapter 89 Section 4 Laws 2008

Section 4. DUTIES OF THE SECRETARY.--

A. The secretary shall conduct a study in cooperation with the taxation and revenue department to determine whether Native American veterans who were domiciled on tribal lands during the period of their active military duty had state personal income taxes improperly withheld from their pay and if so, to determine the amount of state personal income taxes improperly withheld and the number and identity of Native American veterans or their survivors affected by the improper withholding of state personal income taxes.

B. The secretary shall promulgate rules for a state program to compensate Native American veterans or their survivors for state personal income taxes improperly withheld from military income while on active military duty.

C. The secretary shall report to the appropriate interim legislative committee no later than October 1 of each year regarding estimates of the amount of state personal income taxes improperly withheld from the military pay of Native American veterans, the number of Native American veterans or their survivors affected by the improper withholding of state personal income taxes, total expenditures from the fund for the previous fiscal year and the anticipated appropriations to the fund needed to pay for settlements to be entered into for the next fiscal year.

Chapter 89 Section 5 Laws 2008

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

SIAC/Senate Bill 574, as amended, with emergency clause, with certificate of correction

Approved March 4, 2008

LAWS 2008, CHAPTER 90

AN ACT

RELATING TO PUBLIC SCHOOL FACILITIES; AMENDING THE PUBLIC SCHOOL CAPITAL OUTLAY ACT TO PROVIDE INCREMENTAL FUNDING FOR PROJECTS IN CERTAIN SCHOOL DISTRICTS, TO REDUCE THE OFFSET FROM A GRANT AWARD FOR CERTAIN APPROPRIATIONS MADE FOR JOINT USE WITH A GOVERNMENTAL ENTITY, TO CHANGE THE PROCEDURE FOR MAKING PAYMENTS FOR EXPENDITURES INCURRED TO INSPECT AND PERMIT PROJECTS, TO PROVIDE AN INCREASED GRANT AWARD TO THOSE SCHOOL DISTRICTS WITH AN EXEMPLARY RECORD OF PREVENTIVE MAINTENANCE AND TO CHANGE THE MEMBERSHIP OF THE PUBLIC SCHOOL CAPITAL OUTLAY OVERSIGHT TASK FORCE; EXTENDING THE EXPENDITURE PERIOD FOR A CERTAIN APPROPRIATION; MAKING AN APPROPRIATION.

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

Chapter 90 Section 1 Laws 2008

Section 1. Section 22-24-4 NMSA 1978 (being Laws 1975, Chapter 235, Section 4, as amended) is amended to read:

"22-24-4. PUBLIC SCHOOL CAPITAL OUTLAY FUND CREATED-- USE.--

A. The "public school capital outlay fund" is created. Balances remaining in the fund at the end of each fiscal year shall not revert.

B. Except as provided [~~in Section 22-24-5.8 NMSA 1978 and~~] in Subsections G through L of this section, money in the fund may be used only for capital expenditures deemed necessary by the council for an adequate educational program.

C. The council may authorize the purchase by the public school facilities authority of portable classrooms to be loaned to school districts to meet a temporary requirement. Payment for these purchases shall be made from the fund. Title and custody to the portable classrooms shall rest in the public school facilities authority. The council shall authorize the lending of the portable classrooms to school districts upon request and upon finding that sufficient need exists. Application for use or return of state-owned portable classroom buildings shall be submitted by school districts to the council. Expenses of maintenance of the portable classrooms while in the custody of the

public school facilities authority shall be paid from the fund; expenses of maintenance and insurance of the portable classrooms while in the custody of a school district shall be the responsibility of the school district. The council may authorize the permanent disposition of the portable classrooms by the public school facilities authority with prior approval of the state board of finance.

D. Applications for assistance from the fund shall be made by school districts to the council in accordance with requirements of the council. Except as provided in Subsection K of this section, the council shall require as a condition of application that a school district have a current five-year facilities plan, which shall include a current preventive maintenance plan to which the school adheres for each public school in the school district.

E. The council shall review all requests for assistance from the fund and shall allocate funds only for those capital outlay projects that meet the criteria of the Public School Capital Outlay Act.

F. Money in the fund shall be disbursed by warrant of the department of finance and administration on vouchers signed by the secretary of finance and administration following certification by the council that an application has been approved or an expenditure has been ordered by a court pursuant to Section 22-24-5.4 NMSA 1978. At the discretion of the council, money for a project shall be distributed as follows:

(1) up to ten percent of the portion of the project cost funded with distributions from the fund or five percent of the total project cost, whichever is greater, may be paid to the school district before work commences with the balance of the grant award made on a cost-reimbursement basis; or

(2) the council may authorize payments directly to the contractor.

G. Balances in the fund may be annually appropriated for the core administrative functions of the public school facilities authority pursuant to the Public School Capital Outlay Act and, in addition, balances in the fund may be expended by the public school facilities authority, upon approval of the council, for project management expenses; provided that:

(1) the total annual expenditures from the fund pursuant to this subsection shall not exceed five percent of the average annual grant assistance authorized from the fund during the three previous fiscal years; and

(2) any unexpended or unencumbered balance remaining at the end of a fiscal year from the expenditures authorized in this subsection shall revert to the fund.

H. Up to thirty million dollars (\$30,000,000) of the fund may be allocated annually by the council in fiscal years 2006 and 2007 for a roof repair and replacement initiative with projects to be identified by the council pursuant to Section 22-24-4.3 NMSA 1978; provided that all money allocated pursuant to this subsection shall be expended prior to September 1, 2008.

I. The fund may be expended annually by the council in fiscal years 2006 through 2020 for grants to school districts for the purpose of making lease payments for classroom facilities, including facilities leased by charter schools. The grants shall be made upon application by the school districts and pursuant to rules adopted by the council; provided that an application on behalf of a charter school shall be made by the school district but, if the school district fails to make an application on behalf of a charter school, the charter school may submit its own application. The following criteria shall apply to the grants:

(1) the amount of a grant to a school district shall not exceed:

(a) the actual annual lease payments owed for leasing classroom space for schools, including charter schools, in the district; or

(b) seven hundred dollars (\$700) multiplied by the number of MEM using the leased classroom facilities; provided that in fiscal year 2009 and in each subsequent fiscal year, this amount shall be adjusted by the percentage increase between the penultimate calendar year and the immediately preceding calendar year of the consumer price index for the United States, all items, as published by the United States department of labor; and provided further that if the total grants awarded pursuant to this paragraph would exceed the total annual amount available, the rate specified in this subparagraph shall be reduced proportionately;

(2) a grant received for the lease payments of a charter school may be used by that charter school as a state match necessary to obtain federal grants pursuant to the federal No Child Left Behind Act of 2001;

(3) at the end of each fiscal year, any unexpended or unencumbered balance of the appropriation shall revert to the fund;

(4) if the lease payments are made pursuant to a financing agreement under which the facilities may be purchased for a price that is reduced according to the lease payments made:

(a) a grant shall not be made unless the council determines that the leased facilities meet the statewide adequacy standards; and

(b) neither a grant nor any provision of the Public School Capital Outlay Act creates a legal obligation for the school district or charter school to continue the lease from year to year or to purchase the facilities nor does it create a

legal obligation for the state to make subsequent grants pursuant to the provisions of this subsection;

(5) the total amount expended from the fund pursuant to this subsection shall not exceed:

(a) seven million five hundred thousand dollars (\$7,500,000) in fiscal year 2007; and

(b) in fiscal year 2008 and each subsequent fiscal year, the maximum amount for the previous fiscal year adjusted by the percentage increase between the penultimate calendar year and the immediately preceding calendar year of the consumer price index for the United States, all items, as published by the United States department of labor; and

(6) as used in this subsection:

(a) "MEM" means: 1) the average

full-time-equivalent enrollment using leased classroom facilities on the eightieth and one hundred twentieth days of the prior school year; or 2) in the case of an approved charter school that has not commenced classroom instruction, the estimated full-time-equivalent enrollment that will use leased classroom facilities in the first year of instruction, as shown in the approved charter school application; provided that, after the eightieth day of the school year, the MEM shall be adjusted to reflect the full-time-equivalent enrollment on that date; and

(b) "classroom facilities" or "classroom space" includes the space needed, as determined by the minimum required under the statewide adequacy standards, for the direct administration of school activities.

J. In addition to other authorized expenditures from the fund, up to one percent of the average grant assistance authorized from the fund during the three previous fiscal years may be expended in each fiscal year by the public school facilities authority to pay the state fire marshal, the construction industries division of the regulation and licensing department and local jurisdictions having authority from the state to permit and inspect projects for expenditures made to permit and inspect projects funded in whole or in part under the Public School Capital Outlay Act. The authority shall enter into contracts with the state fire marshal, the construction industries division or the appropriate local authorities to carry out the provisions of this subsection. Such a contract may provide for initial estimated payments from the fund prior to the expenditures if the contract also provides for additional payments from the fund if the actual expenditures exceed the initial payments and for repayments back to the fund if the initial payments exceed the actual expenditures.

K. Pursuant to guidelines established by the council, allocations from the fund may be made to assist school districts in developing and updating five-year facilities plans required by the Public School Capital Outlay Act; provided that:

(1) no allocation shall be made unless the council determines that the school district is willing and able to pay the portion of the total cost of developing or updating the plan that is not funded with the allocation from the fund. Except as provided in Paragraph (2) of this subsection, the portion of the total cost to be paid with the allocation from the fund shall be determined pursuant to the methodology in Paragraph (5) of Subsection B of Section

22-24-5 NMSA 1978; or

(2) the allocation from the fund may be used to pay the total cost of developing or updating the plan if:

(a) the school district has fewer than an average of six hundred full-time-equivalent students on the eightieth and one hundred twentieth days of the prior school year; or

(b) the school district meets all of the following requirements: 1) the school district has fewer than an average of one thousand full-time-equivalent students on the eightieth and one hundred twentieth days of the prior school year; 2) the school district has at least seventy percent of its students eligible for free or reduced-fee lunch; 3) the state share of the total cost, if calculated pursuant to the methodology in Paragraph (5) of Subsection B of Section 22-24-5 NMSA 1978, would be less than fifty percent; and 4) for all educational purposes, the school district has a residential property tax rate of at least seven dollars (\$7.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds.

L. Upon application by a school district, allocations from the fund may be made by the council for the purpose of demolishing abandoned school district facilities, provided that:

(1) the costs of continuing to insure an abandoned facility outweigh any potential benefit when and if a new facility is needed by the school district;

(2) there is no practical use for the abandoned facility without the expenditure of substantial renovation costs; and

(3) the council may enter into an agreement with the school district under which an amount equal to the savings to the district in lower insurance premiums are used to reimburse the fund fully or partially for the demolition costs allocated to the district."

Chapter 90 Section 2 Laws 2008

Section 2. Section 22-24-5 NMSA 1978 (being Laws 1975, Chapter 235, Section 5, as amended) is amended to read:

"22-24-5. PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS-- APPLICATION-- GRANT ASSISTANCE.--

A. Applications for grant assistance, approval of applications, prioritization of projects and grant awards shall be conducted pursuant to the provisions of this section.

B. Except as provided in Sections 22-24-4.3, 22-24-5.4, 22-24-5.6 [~~and 22-24-5.8~~] NMSA 1978, the following provisions govern grant assistance from the fund for a public school capital outlay project not wholly funded pursuant to Section 22-24-4.1 NMSA 1978: *LINE-ITEM VETO*

(1) all school districts are eligible to apply for funding from the fund, regardless of percentage of indebtedness;

(2) priorities for funding shall be determined by using the statewide adequacy standards developed pursuant to Subsection C of this section; provided that:

(a) the council shall apply the standards to charter schools to the same extent that they are applied to other public schools; and

(b) in an emergency in which the health or safety of students or school personnel is at immediate risk or in which there is a threat of significant property damage, the council may award grant assistance for a project using criteria other than the statewide adequacy standards;

(3) the council shall establish criteria to be used in public school capital outlay projects that receive grant assistance pursuant to the Public School Capital Outlay Act. In establishing the criteria, the council shall consider:

(a) the feasibility of using design, build and finance arrangements for public school capital outlay projects;

(b) the potential use of more durable construction materials that may reduce long-term operating costs;

(c) concepts that promote efficient but flexible utilization of space; and

(d) any other financing or construction concept that may maximize the dollar effect of the state grant assistance;

(4) no more than ten percent of the combined total of grants in a funding cycle shall be used for retrofitting existing facilities for technology infrastructure;

(5) except as provided in Paragraph (6), (8) or (9) of this subsection, the state share of a project approved and ranked by the council shall be funded within available resources pursuant to the provisions of this paragraph. No later than May 1 of each calendar year, a value shall be calculated for each school district in accordance with the following procedure:

(a) the final prior year net taxable value for a school district divided by the MEM for that school district is calculated for each school district;

(b) the final prior year net taxable value for the whole state divided by the MEM for the state is calculated;

(c) excluding any school district for which the result calculated pursuant to Subparagraph (a) of this paragraph is more than twice the result calculated pursuant to Subparagraph (b) of this paragraph, the results calculated pursuant to Subparagraph (a) of this paragraph are listed from highest to lowest;

(d) the lowest value listed pursuant to Subparagraph (c) of this paragraph is subtracted from the highest value listed pursuant to that subparagraph;

(e) the value calculated pursuant to Subparagraph (a) of this paragraph for the subject school district is subtracted from the highest value listed in Subparagraph (c) of this paragraph;

(f) the result calculated pursuant to Subparagraph (e) of this paragraph is divided by the result calculated pursuant to Subparagraph (d) of this paragraph;

(g) the sum of the property tax mill levies for the prior tax year imposed by each school district on residential property pursuant to Chapter 22, Article 18 NMSA 1978, the Public School Capital Improvements Act, the Public School Buildings Act, the Education Technology Equipment Act and Paragraph (2) of Subsection B of Section 7-37-7 NMSA 1978 is calculated for each school district;

(h) the lowest value calculated pursuant to Subparagraph (g) of this paragraph is subtracted from the highest value calculated pursuant to that subparagraph;

(i) the lowest value calculated pursuant to Subparagraph (g) of this paragraph is subtracted from the value calculated pursuant to that subparagraph for the subject school district;

(j) the value calculated pursuant to Subparagraph (i) of this paragraph is divided by the value calculated pursuant to Subparagraph (h) of this paragraph;

(k) if the value calculated for a subject school district pursuant to Subparagraph (j) of this paragraph is less than five-tenths, then, except as provided in Subparagraph (n) or (o) of this paragraph, the value for that school district equals the value calculated pursuant to Subparagraph (f) of this paragraph;

(l) if the value calculated for a subject school district pursuant to Subparagraph (j) of this paragraph is five-tenths or greater, then that value is multiplied by five-hundredths;

(m) if the value calculated for a subject school district pursuant to Subparagraph (j) of this paragraph is five-tenths or greater, then the value calculated pursuant to Subparagraph (l) of this paragraph is added to the value calculated pursuant to Subparagraph (f) of this paragraph. Except as provided in Subparagraph (n) or (o) of this paragraph, the sum equals the value for that school district;

(n) in those instances in which the calculation pursuant to Subparagraph (k) or (m) of this paragraph yields a value less than one-tenth, one-tenth shall be used as the value for the subject school district;

(o) in those instances in which the calculation pursuant to Subparagraph (k) or (m) of this paragraph yields a value greater than one, one shall be used as the value for the subject school district;

(p) except as provided in Section

22-24-5.7 [~~or 22-24-5.8~~] NMSA 1978 and except as adjusted pursuant to Paragraph (6), (8) or (9) of this subsection, the amount to be distributed from the fund for an approved project shall equal the total project cost multiplied by a fraction the numerator of which is the value calculated for the subject school district in the current year plus the value calculated for that school district in each of the two preceding years and the denominator of which is three; and

(q) as used in this paragraph: 1) "MEM" means the average full-time-equivalent enrollment of students attending public school in a school district on the eightieth and one hundred twentieth days of the prior school year; 2) "total project cost" means the total amount necessary to complete the public school capital outlay project less any insurance reimbursement received by the school district for the project; and 3) in the case of a state-chartered charter school that has submitted an application for grant assistance pursuant to this section, the "value calculated for the subject school district" means the value calculated for the school district in which the state-chartered charter school is physically located;

(6) the amount calculated pursuant to Subparagraph (p) of Paragraph (5) of this subsection shall be reduced by the following procedure:

(a) the total of all legislative appropriations made after January 1, 2003 for nonoperating purposes either directly to the subject school district or to another governmental entity for the purpose of passing the money through directly to the subject school district, and not rejected by the subject school district, is calculated; provided that: 1) an appropriation made in a fiscal year shall be deemed to be accepted by a school district unless, prior to June 1 of that fiscal year, the school district notifies the department of finance and administration and the public education department that the district is rejecting the appropriation; 2) the total shall exclude any educational technology appropriation made prior to January 1, 2005 unless the appropriation was on or after January 1, 2003 and not previously used to offset distributions pursuant to the Technology for Education Act; 3) the total shall exclude any appropriation previously made to the subject school district that is reauthorized for expenditure by another recipient; 4) the total shall exclude one-half of the amount of any appropriation made or reauthorized after January 1, 2007 if the purpose of the appropriation or reauthorization is to fund, in whole or in part, a capital outlay project that, when prioritized by the council pursuant to this section either in the immediately preceding funding cycle or in the current funding cycle, ranked in the top one hundred fifty projects statewide; 5) the total shall exclude the proportionate share of any appropriation made or reauthorized after January 1, 2008 for a capital project that will be jointly used by a governmental entity other than the subject school district. Pursuant to criteria adopted by rule of the council and based upon the proposed use of the capital project, the council shall determine the proportionate share to be used by the governmental entity and excluded from the total; and 6) unless the grant award is made to the

state-chartered charter school or unless the appropriation was previously used to calculate a reduction pursuant to this paragraph, the total shall exclude appropriations made after January 1, 2007 for nonoperating purposes of a specific state-chartered charter school, regardless of whether the charter school is a state-chartered charter school at the time of the appropriation or later opts to become a state-chartered charter school;

(b) the applicable fraction used for the subject school district and the current calendar year for the calculation in Subparagraph (p) of Paragraph (5) of this subsection is subtracted from one;

(c) the value calculated pursuant to Subparagraph (a) of this paragraph for the subject school district is multiplied by the amount calculated pursuant to Subparagraph (b) of this paragraph for that school district;

(d) the total amount of reductions for the subject school district previously made pursuant to Subparagraph (e) of this paragraph for other

approved public school capital outlay projects is subtracted from the amount calculated pursuant to Subparagraph (c) of this paragraph; and

(e) the amount calculated pursuant to Subparagraph (p) of Paragraph (5) of this subsection shall be reduced by the amount calculated pursuant to Subparagraph (d) of this paragraph;

(7) as used in this subsection:

(a) "governmental entity" includes an Indian nation, tribe or pueblo; and

(b) "subject school district" means the school district that has submitted the application for funding and in which the approved public school capital outlay project will be located;

(8) the amount calculated pursuant to Subparagraph (p) of Paragraph (5) of this subsection, after any reduction pursuant to Paragraph (6) of this subsection, may be increased by an additional five percent if the council finds that the subject school district has been exemplary in implementing and maintaining a preventive maintenance program. The council shall adopt such rules as are necessary to implement the provisions of this paragraph;

(9) the council may adjust the amount of local share otherwise required if it determines that a school district has used all of its local resources. Before making any adjustment to the local share, the council shall consider whether:

(a) the school district has insufficient bonding capacity over the next four years to provide the local match necessary to complete the project and, for all educational purposes, has a residential property tax rate of at least ten dollars (\$10.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds;

(b) the school district: 1) has fewer than an average of eight hundred full-time-equivalent students on the eightieth and one hundred twentieth days of the prior school year; 2) has at least seventy percent of its students eligible for free or reduced-fee lunch; 3) has a share of the total project cost, as calculated pursuant to provisions of this section, that would be greater than fifty percent; and 4) for all educational purposes, has a residential property tax rate of at least seven dollars (\$7.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds; or

(c) the school district: 1) has an enrollment growth rate over the previous school year of at least two and one-half percent; 2) pursuant to its five-year

facilities plan, will be building a new school within the next two years; and 3) for all educational purposes, has a residential property tax rate of at least ten dollars (\$10.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds; and

(10) no application for grant assistance from the fund shall be approved unless the council determines that:

(a) the public school capital outlay project is needed and included in the school district's

five-year facilities plan among its top priorities;

(b) the school district has used its capital resources in a prudent manner;

(c) the school district has provided insurance for buildings of the school district in accordance with the provisions of Section 13-5-3 NMSA 1978;

(d) the school district has submitted a five-year facilities plan that includes: 1) enrollment projections; 2) a current preventive maintenance plan that has been approved by the council pursuant to Section 22-24-5.3 NMSA 1978 and that is followed by each public school in the district; 3) the capital needs of charter schools located in the school district; and 4) projections for the facilities needed in order to maintain a full-day kindergarten program;

(e) the school district is willing and able to pay any portion of the total cost of the public school capital outlay project that, according to Paragraph (5), (6), (8) or (9) of this subsection, is not funded with grant assistance from the fund; provided that school district funds used for a project that was initiated after September 1, 2002 when the statewide adequacy standards were adopted, but before September 1, 2004 when the standards were first used as the basis for determining the state and school district share of a project, may be applied to the school district portion required for that project;

(f) the application includes the capital needs of any charter school located in the school district or the school district has shown that the facilities of the charter school have a smaller deviation from the statewide adequacy standards than other district facilities included in the application; and

(g) the school district has agreed, in writing, to comply with any reporting requirements or conditions imposed by the council pursuant to Section 22-24-5.1 NMSA 1978.

C. After consulting with the public school capital outlay oversight task force and other experts, the council shall regularly review and update statewide adequacy standards applicable to all school districts. The standards shall establish the acceptable level for the physical condition and capacity of buildings, the educational suitability of facilities and the need for technological infrastructure. Except as otherwise provided in the Public School Capital Outlay Act, the amount of outstanding deviation from the standards shall be used by the council in evaluating and prioritizing public school capital outlay projects.

D. The acquisition of a facility by a school district or charter school pursuant to a financing agreement that provides for lease payments with an option to purchase for a price that is reduced according to lease payments made may be considered a public school capital outlay project and eligible for grant assistance under this section pursuant to the following criteria:

(1) no grant shall be awarded unless the council finds that, prior to the purchase of the facility by the school district or charter school, the facility will equal or exceed the statewide adequacy standards and the building standards for public school facilities;

(2) no grant shall be awarded unless the school district and the need for the facility meet all of the requirements for grant assistance pursuant to the Public School Capital Outlay Act;

(3) the total project cost shall equal the total payments that would be due under the agreement if the school district or charter school would eventually acquire title to the facility;

(4) the portion of the total project cost to be paid from the fund may be awarded as one grant, but disbursements from the fund shall be made from time to time as lease payments become due;

(5) the portion of the total project cost to be paid by the school district or charter school may be paid from time to time as lease payments become due; and

(6) neither a grant award nor any provision of the Public School Capital Outlay Act creates a legal obligation for the school district or charter school to continue the lease from year to year or to purchase the facility.

E. In order to encourage private capital investment in the construction of public school facilities, the purchase of a privately owned school facility that is, at the time of application, in use by a school district may be considered a public school capital outlay project and eligible for grant assistance pursuant to this section if the council finds that:

(1) at the time of the initial use by the school district, the facility to be purchased equaled or exceeded the statewide adequacy standards and the building standards for public school facilities;

(2) at the time of application, attendance at the facility to be purchased is at seventy-five percent or greater of design capacity and the attendance at other schools in the school district that the students at the facility would otherwise attend is at eighty-five percent or greater of design capacity; and

(3) the school district and the capital outlay project meet all of the requirements for grant assistance pursuant to the Public School Capital Outlay Act; provided that, when determining the deviation from the statewide adequacy standards for the purposes of evaluating and prioritizing the project, the students using the facility shall be deemed to be attending other schools in the school district.

F. It is the intent of the legislature that grant assistance made pursuant to this section allows every school district to meet the standards developed pursuant to Subsection C of this section; provided, however, that nothing in the Public School Capital Outlay Act or the development of standards pursuant to that act prohibits a school district from using local funds to exceed the statewide adequacy standards.

G. Upon request, the council shall work with, and provide assistance and information to, the public school capital outlay oversight task force.

H. The council may establish committees or task forces, not necessarily consisting of council members, and may use the committees or task forces, as well as existing agencies or organizations, to conduct studies, conduct surveys, submit recommendations or otherwise contribute expertise from the public schools, programs, interest groups and segments of society most concerned with a particular aspect of the council's work.

I. Upon the recommendation of the public school facilities authority, the council shall develop building standards for public school facilities and shall promulgate other such rules as are necessary to carry out the provisions of the Public School Capital Outlay Act.

J. No later than December 15 of each year, the council shall prepare a report summarizing its activities during the previous fiscal year. The report shall describe in detail all projects funded, the progress of projects previously funded but not completed, the criteria used to prioritize and fund projects and all other council actions. The report shall be submitted to the public education commission, the governor, the legislative finance committee, the legislative education study committee and the legislature."

Chapter 90 Section 3 Laws 2008

Section 3. Section 22-24-5.4 NMSA 1978 (being Laws 2004, Chapter 125, Section 10) is amended to read:

"22-24-5.4. RECALCITRANT SCHOOL DISTRICTS--COURT ACTION TO ENFORCE CONSTITUTIONAL COMPLIANCE--IMPOSITION OF PROPERTY TAX.--

A. The council may bring an action against a school district pursuant to the provisions of this section if, based upon information submitted to the council by the public school facilities authority, the council determines that:

(1) the physical condition of a public school facility in the school district is so inadequate that the facility or the education received by students attending the facility is below the minimum required by the constitution of New Mexico;

(2) the school district is not taking the necessary steps to bring the facility up to the constitutionally required minimum; and

(3) either:

(a) the school district has not applied for the grant assistance necessary to bring the facility up to minimum constitutional standards; or

(b) the school district is unwilling to meet all of the requirements for the approval of an application for grant assistance pursuant to Paragraph (10) of Subsection B of Section 22-24-5 NMSA 1978.

B. An action brought pursuant to this section shall be brought by the council in the name of the state against the school district in the district court for Santa Fe county.

C. After a hearing and consideration of the evidence, if the court finds that the council's determination pursuant to Subsection A of this section was correct, the court shall:

(1) order the council to expend sufficient resources necessary to bring the facility up to the minimum level required by the constitution of New Mexico;

(2) order the school district to comply with Paragraph (10) of Subsection B of Section 22-24-5 NMSA 1978 and to take all other actions necessary to facilitate the completion of the project ordered pursuant to Paragraph (1) of this subsection; and

(3) enter a judgment against the school district for court costs and attorney fees and the necessary amount to satisfy the school district share, as determined by the formula prescribed by Subsection B of Section 22-24-5 NMSA 1978, for the project ordered pursuant to Paragraph (1) of this subsection.

D. The amount of a judgment entered against a school district pursuant to Paragraph (3) of Subsection C of this section is a public debt of the school district. If the court finds that the debt cannot be satisfied with available school district funds, other than funds needed for the operation of the public schools and other existing obligations, the court shall order the imposition of a property tax on all taxable property allocated to the school district at a rate sufficient to pay the judgment, with accrued interest, within a reasonable time as determined by the court. After paying court costs and attorney fees, amounts received pursuant to this subsection shall be deposited by the council into the fund."

Chapter 90 Section 4 Laws 2008

~~[Section 4. A new section of the Public School Capital Outlay Act, Section 22-24-5.8 NMSA 1978, is enacted to read:~~

~~"22-24-5.8. INCREMENTAL FUNDING FOR PROJECTS IN CERTAIN SCHOOL DISTRICTS.--~~

~~A. A school district receiving grant assistance from the fund pursuant to Section 22-24-5 NMSA 1978 for a public school capital outlay project, other than supplemental grant assistance for increased costs on a project previously approved, shall receive additional incremental funding from the fund if the school district and proposed use of the additional incremental funding qualify pursuant to the provisions of Subsection B of this section.~~

~~B. A school district shall receive the additional grant if the council determines that:~~

~~(1) the school district has a demonstrated history of providing support to its schools with all available resources;~~

~~(2) in calculating the grant assistance from the fund for the project pursuant to Section 22-24-5 NMSA 1978, the value calculated for the school district pursuant to Subparagraph (k), (m), (n) or (o) of Paragraph (5) of Subsection B of that section is equal to or greater than seven-tenths;~~

~~(3) averaged over the previous four property tax years, the school district had a residential property tax rate of at least nine dollars (\$9.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds;~~

~~(4) at least seventy percent of the students in the school district are eligible for free or reduced-fee lunch;~~

(5) the school district does not have sufficient resources to expend on the project so it is unlikely that the school district will be able to provide its students with more than the bare minimum;

(6) the political subdivision in which the school district is located does not have adequate infrastructure to compensate for the school district's lack of resources; and

(7) the planned use of the additional grant will enhance public school education in the school district, will further the school district's educational plan for student success and is a prudent use of state money.

C. The amount of additional incremental funding awarded pursuant to this section shall equal the total project cost multiplied by the lesser of:

(1) the value calculated for the school district pursuant to Subparagraph (k), (m), (n) or (o) of Paragraph (5) of Subsection B of Section 22-24-5 NMSA 1978 minus six-tenths; or

(2) twenty-five hundredths.

~~————— D. All provisions of the Public School Capital Outlay Act relating to the expenditure of other grants awarded from the fund, including those provisions relating to reporting, oversight, project access and accountability, apply to the use and expenditure of additional funding made pursuant to this section."]LINE-ITEM VETO~~

Chapter 90 Section 5 Laws 2008

Section 5. Section 22-24-7 NMSA 1978 (being Laws 2001, Chapter 338, Section 12, as amended) is amended to read:

"22-24-7. PUBLIC SCHOOL CAPITAL OUTLAY OVERSIGHT TASK FORCE--
CREATION--STAFF.--

A. The "public school capital outlay oversight task force" is created. The task force consists of

twenty-five members as follows:

(1) the secretary of finance and administration or the secretary's designee;

(2) the secretary of public education or the secretary's designee;

(3) the speaker of the house of representatives or the speaker's designee;

(4) the president pro tempore of the senate or the president pro tempore's designee;

(5) the chairs of the house appropriations and finance committee, the senate finance committee, the senate education committee and the house education committee or their designees;

(6) two minority party members of the house of representatives, appointed by the New Mexico legislative council;

(7) two minority party members of the senate, appointed by the New Mexico legislative council;

(8) a member of the interim legislative committee charged with the oversight of Indian affairs, appointed by the New Mexico legislative council, provided that the member shall rotate annually between a senate member and a member of the house of representatives;

(9) a member of the house of representatives and a member of the senate who represent districts with school districts receiving federal funds commonly known as "PL 874" funds or "impact aid", appointed by the New Mexico legislative council;

(10) two public members who have expertise in education and finance appointed by the speaker of the house of representatives;

(11) two public members who have expertise in education and finance appointed by the president pro tempore of the senate;

(12) three public members, two of whom are residents of school districts that receive grants from the federal government as assistance to areas affected by federal activity authorized in accordance with Title 20 of the

United States Code, appointed by the governor; and

(13) three superintendents of school districts or their designees, two of whom are from school districts that receive grants from the federal government as assistance to areas affected by federal activity authorized in accordance with Title 20 of the United States Code, appointed by the New Mexico legislative council in consultation with the governor.

B. The chair of the public school capital outlay oversight task force shall be elected by the task force. The task force shall meet at the call of the chair, but no more than four times per calendar year.

C. Non-ex-officio members of the task force shall serve at the pleasure of their appointing authorities.

D. The public members of the public school capital outlay oversight task force shall receive per diem and mileage pursuant to the Per Diem and Mileage Act.

E. The legislative council service, with assistance from the public school facilities authority, the department of finance and administration, the public education department, the legislative education study committee and the legislative finance committee, shall provide staff for the public school capital outlay oversight task force."

Chapter 90 Section 6 Laws 2008

Section 6. Laws 2006, Chapter 95, Section 14 is amended to read:

"Section 14. APPROPRIATIONS.--

A. Two million five hundred thousand dollars (\$2,500,000) is appropriated from the public school capital outlay fund to the public school facilities authority for expenditure in fiscal years 2006 through 2009 for continuing the development and implementation of a uniform web-based facility information management system for the public schools pursuant to the provisions of Section 22-24-5.3 NMSA 1978. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the public school capital outlay fund.

B. Three hundred thousand dollars (\$300,000) is appropriated from the public school capital outlay fund to the public school facilities authority for expenditure in fiscal years 2007 and 2008 for the purpose of improving the indoor air quality of public schools by implementing the

New Mexico indoor air quality tools for schools program pursuant to criteria developed by the public school facilities authority in consultation with the department of environment, the public education department, the department of health, the energy, minerals and natural resources department and the children, youth and families department. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008 shall revert to the public school capital outlay fund."

Chapter 90 Section 7 Laws 2008

Section 7. APPROPRIATION--NEW SCHOOL DEVELOPMENT FUND.--

Three million dollars (\$3,000,000) is appropriated from the public school capital outlay fund to the new school development fund for expenditure in fiscal year 2009 and subsequent fiscal years for the purpose of making distributions to school districts to pay for equipment and other nonoperating costs unique to the first year of operation of new

schools. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert.

SFL/Senate Bill 146, partial veto

Approved March 5, 2008

LAWS 2008, CHAPTER 91

AN ACT

RELATING TO TRAFFIC OFFENSES; LIMITING THE AMOUNT OF CERTAIN FINES AND FEES IMPOSED BY MUNICIPALITIES FOR CERTAIN OFFENSES; CREATING THE METROPOLITAN COURT BOND GUARANTEE FUND; MAKING AN APPROPRIATION FOR STATEWIDE EFFORTS TO PREVENT OR REDUCE INCIDENTS OF DRIVING WHILE INTOXICATED.

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

Chapter 91 Section 1 Laws 2008

Section 1. Section 3-18-17 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-17-14) is amended to read:

"3-18-17. NUISANCES AND OFFENSES--REGULATION OR PROHIBITION.--A municipality, including a home rule municipality that has adopted a charter pursuant to Article 10, Section 6 of the constitution of New Mexico, may by ordinance:

A. define a nuisance, abate a nuisance and impose penalties upon a person who creates or allows a nuisance to exist; provided that for a municipality with a population of 200,000 or greater as of the last decennial census, the penalties or fines and costs or fees imposed by an ordinance for failure to obey a traffic sign or signal, including a red light violation, or for a speeding offense or violation, shall be subject to the following criteria:

(1) the total amount of assessed penalties, fines, fees and costs for each offense or violation shall not

exceed seventy-five dollars (\$75.00);

(2) each month, or other period set by contract, the municipality shall retain from the gross total amount of penalties, fines, fees and costs assessed and collected that month or period an amount subject to audit that is equal to the setup, maintenance, support and processing services fees charged for that month or period

pursuant to contractual terms, by a vendor providing systems and services that assist the municipality in imposing penalties or fines and costs or fees as provided in this subsection.

(3) less the retention authorized in Paragraph (2) of this subsection, the net total amount assessed in fines, fees and costs by the municipality shall be distributed to the administrative office of the courts, of which ten percent of the net total amount assessed shall be credited to DWI drug court programs and ninety percent of the net total amount assessed shall be transferred to the New Mexico finance authority for deposit into the metropolitan court bond guarantee fund; and

(4) in fiscal year 2009, and annually thereafter, the municipality shall cause an audit of the program to be conducted by the state auditor or an independent auditor selected by the state auditor;

B. regulate or prohibit any amusement or practice that tends to annoy persons on a street or public ground; and

C. prohibit and suppress:

(1) gambling and the use of fraudulent devices or practices for the purpose of obtaining money or property;

(2) the sale, possession or exhibition of obscene or immoral publications, prints, pictures or illustrations;

(3) public intoxication;

(4) disorderly conduct; and

(5) riots, noises, disturbances or disorderly assemblies in any public or private place."

Chapter 91 Section 2 Laws 2008

Section 2. A new section of the New Mexico Finance Authority Act is enacted to read:

"METROPOLITAN COURT BOND GUARANTEE FUND.--

A. The "metropolitan court bond guarantee fund" is created in the authority. The fund is comprised of appropriations, donations, transfers pursuant to Section 3-18-17 NMSA 1978 and money earned from investment of the fund and otherwise accruing to the fund. Money in the fund is appropriated to the authority as a credit enhancement to the distributions from the court facilities fund in order to guarantee and secure the payment of principal, interest, premiums and expenses on

bonds issued pursuant to Section 34-9-16 NMSA 1978 and Laws 2000, Chapter 5, Section 2. Balances remaining in the fund at the end of a fiscal year shall not revert. The authority shall administer the fund, and money from the fund may be drawn only on warrants signed by the chief executive officer of the authority pursuant to vouchers signed by the chief executive officer.

B. Before each due date for payments of principal, interest, premiums or expenses on bonds issued pursuant to Section 34-9-16 NMSA 1978 and Laws 2000, Chapter 5, Section 2, the authority shall determine if the distributions from the court facilities fund will be sufficient to meet the amount due. If the authority determines that distributions from the court facilities fund are not sufficient to meet the total amount due, any insufficient amount shall be paid immediately from the metropolitan court bond guarantee fund. After each due date for a payment on the bonds, the authority shall determine the amount necessary to reserve in the metropolitan court bond guarantee fund as security for future payments and transfer any balance, above the amount reserved, to the traffic safety bureau of the department of transportation. The amounts transferred are appropriated to the bureau for expenditure on statewide efforts to prevent or reduce incidents of driving while intoxicated.

C. Upon payment of all principal, interest, premiums and expenses on bonds guaranteed and secured by amounts in the metropolitan court bond guarantee fund, the authority shall certify to the administrative office of the courts that all obligations for bonds have been fully discharged. Upon the certification, the director of the administrative office of the courts shall cease transferring amounts to the metropolitan court bond guarantee fund and transfer those amounts to the traffic safety bureau of the

department of transportation. Such amounts are appropriated to the bureau for the purposes specified in Subsection B of this section."

Chapter 91 Section 3 Laws 2008

Section 3. TEMPORARY PROVISION--APPLICABILITY.--The provisions of this act apply prospectively to all municipal ordinances enacted before or after the effective date of the provisions of this act.

Chapter 91 Section 4 Laws 2008

Section 4. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2008.

Senate Bill 442, as amended

Approved March 5, 2008

LAWS 2008, CHAPTER 92

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:

Chapter 92 Section 1 Laws 2008

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

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

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

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

(2) spend at least eighty-five percent of the bond proceeds within three years after the applicable bonds have been issued.

D. Except as otherwise specifically provided by law:

(1) the unexpended balance from the proceeds of severance tax bonds issued pursuant to this act for a project shall revert to the severance tax bonding fund no later than the following dates:

(a) for a project for which severance tax bonds were issued to match federal grants, six months after completion of the project;

(b) for a project for which severance tax bonds were issued to purchase vehicles, including emergency vehicles and other vehicles that require special equipment; heavy equipment; books; educational technology; or other equipment or furniture that is not related to a more inclusive construction or renovation project, at the end of the fiscal year two years following the fiscal year in which the severance tax bonds were issued for the purchase; and

(c) for any other project for which severance tax bonds were issued, within six months of completion of the project, but no later than the end of fiscal year 2012; and

(2) all remaining balances from the proceeds of severance tax bonds issued for a project pursuant to this act shall revert to the severance tax bonding fund three months after the latest reversion date specified for that type of project in Paragraph (1) of this subsection, whether or not any of the remaining balances are subject to a contractual obligation to third parties.

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

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

Chapter 92 Section 2 Laws 2008

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

A. Except as otherwise specifically provided by law:

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

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

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

(c) for any other project for which an appropriation was made, within six months of completion of the project, but no later than the end of fiscal year 2012; and

(2) all remaining balances from an appropriation made in this act for a project shall revert three months after the latest reversion date specified for that type of project in Paragraph (1) of this subsection, whether or not any of the remaining balances are subject to a contractual obligation to third parties.

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

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

D. Except as provided in Subsection F of this section, the balance of an appropriation made from the general fund shall revert in the time frame set forth in Subsection A of this section to the capital projects fund.

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

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

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

Chapter 92 Section 3 Laws 2008

Section 3. AGING AND LONG-TERM SERVICES DEPARTMENT PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon

certification by the aging and long-term services department that the need exists for the issuance of the bonds, the following amounts are appropriated to the aging and long-term services department for the following purposes:

1. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, equip and furnish a modular building for a senior center in Paradise Hills in Bernalillo county;

2. two hundred thousand dollars (\$200,000) to purchase, renovate, equip, furnish and landscape Los Amigos nursing home facility, including planning, designing and land acquisition, in Santa Rosa in Guadalupe county;

3. two hundred thousand dollars (\$200,000) to renovate the senior center and to plan, design and construct improvements to the senior center site at Ohkay Owingeh in Rio Arriba county; and

4. one hundred twenty-five thousand dollars (\$125,000) for repairs and improvements to the Pueblo of Nambe senior center in Santa Fe county.

Chapter 92 Section 4 Laws 2008

Section 4. STATE ARMORY BOARD PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the state armory board that the need exists for the issuance of the bonds, one million dollars (\$1,000,000) is appropriated to the state armory board to demolish old facilities and make upgrades to existing facilities and staging areas at the Rio Rancho armory and at armories statewide.

Chapter 92 Section 5 Laws 2008

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

1. five hundred thousand dollars (\$500,000) to plan, design, construct and equip health and safety systems, including fire suppression, fire alarm and water supply systems, elevators, ceiling tiles and office space, at the TIWA building in Albuquerque in Bernalillo county;

2. one million dollars (\$1,000,000) for water line repairs and replacement at the youth diagnostic and development center facilities in Albuquerque in Bernalillo county;

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

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

5. six hundred thousand dollars (\$600,000) for planning, designing and renovating the J. Paul Taylor juvenile detention center in Las Cruces in Dona Ana county and for modifications at other juvenile detention facilities statewide based on the "Missouri model", which allows for individualized education, behavioral health and substance abuse services for youth in detention;

6. three million three hundred thousand dollars (\$3,300,000) for land acquisition and to plan, design, construct, renovate, furnish and equip a New Mexico state police district office in Las Cruces in Dona Ana county;

7. five hundred thousand dollars (\$500,000) to design, construct, equip, furnish, landscape and make site improvements at the office headquarters facility of the border authority in Santa Teresa in Dona Ana county;

8. seven million five hundred thousand dollars (\$7,500,000) for construction of the port of entry at Lordsburg in Hidalgo county;

9. two million dollars (\$2,000,000) to plan, design and construct kitchen renovations at correctional facilities in Los Lunas in Valencia county, Las Cruces in Dona Ana county and Roswell in Chaves county;

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

11. two million dollars (\$2,000,000) for upgrades related to patient health and safety, including renovating bathrooms, purchasing and installing a panic button system and a fire sprinkler system and improving building security systems, at the New Mexico behavioral health institute in Las Vegas in San Miguel county;

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

13. two million dollars (\$2,000,000) to plan, design and construct the motor vehicle division field office in Santa Fe in Santa Fe county;

14. six million five hundred thousand dollars (\$6,500,000) to continue construction of the Alzheimer's unit and skilled nursing facility at the New Mexico state veterans' home in Truth or Consequences in Sierra county;

15. one million dollars (\$1,000,000) for repairs, upgrades and equipment at correctional facilities statewide, including roof replacement, wastewater systems, paving, structural renovations and heating, ventilation and air conditioning systems;

16. five hundred thousand dollars (\$500,000) to plan, design, construct and equip upgrades to department of health facilities to address building deficiencies statewide;

17. one million dollars (\$1,000,000) to acquire land for, plan, design, construct, furnish and equip the New Mexico state police forensic crime laboratory;

18. one million five hundred thousand dollars (\$1,500,000) for repairs, renovations, deferred maintenance and infrastructure improvements at state buildings statewide;

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

20. five million dollars (\$5,000,000) to plan, design, construct, purchase, renovate and equip a substance abuse treatment facility in Los Lunas in Valencia county.

Chapter 92 Section 6 Laws 2008

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

Chapter 92 Section 7 Laws 2008

Section 7. CULTURAL AFFAIRS DEPARTMENT PROJECTS-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the cultural affairs department that the need exists for the issuance of the bonds, the following amounts are appropriated to the cultural affairs department for the following purposes:

1. one million seven hundred thirty thousand dollars (\$1,730,000) to design and construct educational and office space at the museum of natural history and science in Albuquerque in Bernalillo county;

2. three hundred seventy thousand dollars (\$370,000) to complete construction, furnish and equip the Pete V. Domenici education building at the national Hispanic cultural center in Albuquerque in Bernalillo county;

3. two hundred thousand dollars (\$200,000) to equip and furnish the national Hispanic cultural center in Albuquerque in Bernalillo county;

4. two hundred eighty-five thousand dollars (\$285,000) to construct the Torreon fresco project at the national Hispanic cultural center in Albuquerque in Bernalillo county;

5. two hundred sixty thousand dollars (\$260,000) to plan, design and acquire land for a veterans' and military technology museum east of interstate 25 in Las Cruces in Dona Ana county;

6. one million five hundred thousand dollars (\$1,500,000) to plan, design, renovate, construct and equip the New Mexico farm and ranch heritage museum, including information technology and related equipment, furniture and infrastructure, exhibits, a rural life center, the Tortugas kitchen, a special events arena and the main gallery, in Las Cruces in Dona Ana county;

7. one million five hundred thousand dollars (\$1,500,000) to plan, design and construct the center for New Mexico archaeology on property donated by the United States bureau of land management in Santa Fe in Santa Fe county;

8. six hundred thousand dollars (\$600,000) to plan, design, construct and renovate the Girard wing, including electrical infrastructure and storage upgrades, at the museum of international folk art in Santa Fe in Santa Fe county;

9. six hundred thousand dollars (\$600,000) to furnish and equip the New Mexico history museum in Santa Fe in Santa Fe county;

10. two million dollars (\$2,000,000) for renovations and repairs and completion of construction projects at state museum and monument facilities statewide; and

11. one hundred seventy-nine thousand dollars (\$179,000) to purchase and equip the van of enchantment for use by the museums and monuments statewide.

Chapter 92 Section 8 Laws 2008

Section 8. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the Cumbres and Toltec scenic railroad commission that the need exists for the issuance of the bonds, one million dollars (\$1,000,000) is

appropriated to the Cumbres and Toltec scenic railroad commission to upgrade the track and railbed of the Cumbres and Toltec scenic railroad in Rio Arriba county.

Chapter 92 Section 9 Laws 2008

Section 9. BOARD OF REGENTS OF NEW MEXICO SCHOOL FOR THE DEAF PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the board of regents of New Mexico school for the deaf that the need exists for the issuance of the bonds, the following amounts are appropriated to the board of regents of New Mexico school for the deaf for the following purposes:

1. two million seven hundred thousand dollars (\$2,700,000) to plan, design, construct, renovate, equip and furnish Dillon hall at the New Mexico school for the deaf in Santa Fe in Santa Fe county; and

2. four hundred twenty-five thousand dollars (\$425,000) to demolish Hester hall on the campus of the New Mexico school for the deaf in Santa Fe in Santa Fe county.

Chapter 92 Section 10 Laws 2008

Section 10. ECONOMIC DEVELOPMENT DEPARTMENT PROJECT-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the economic development department that the need exists for the issuance of the bonds, four million five hundred thousand dollars (\$4,500,000) is appropriated to the economic development department for capital improvements at an automobile manufacturing economic development project in Bernalillo county pursuant to the Local Economic Development Act.

Chapter 92 Section 11 Laws 2008

Section 11. PUBLIC EDUCATION DEPARTMENT PROJECTS-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the public education department that the need exists for the issuance of the bonds, the following amounts are appropriated to the public education department for the following purposes:

1. five hundred thousand dollars (\$500,000) for planning, design, improvements and construction for kindergarten classrooms and facilities for Chaparral elementary school in the Albuquerque public school district in Bernalillo county;

2. three hundred seventy-five thousand dollars (\$375,000) to make capital improvements to the buildings, fields, parking areas, restrooms and cafeterias and purchase library furniture and an audio-visual projection system for the Eldorado cluster

elementary schools and Hoover middle school in the Albuquerque public school district in Bernalillo county;

3. two hundred twenty thousand dollars (\$220,000) to plan, design, construct and purchase repairs and improvements to the lecture hall, including furnishings, equipment, audio-visual equipment, roof, ceiling and flooring, at the media center at Eldorado high school in the Albuquerque public school district in Bernalillo county;

4. two hundred thousand dollars (\$200,000) to construct a student drop-off area at Hayes middle school in the Albuquerque public school district in Bernalillo county;

5. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish Learning Community charter school in the Albuquerque public school district in Bernalillo county;

6. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, renovate, furnish and equip a building for the Montessori of the Rio Grande charter school in the Albuquerque public school district in Bernalillo county;

7. five hundred eighty-eight thousand dollars (\$588,000) to plan, design, construct and equip a facility for the Native American community academy charter school in the Albuquerque public school district in Bernalillo county;

~~8. four hundred fifty thousand dollars (\$450,000) to plan, design, construct and improve a synthetic turf field at Roosevelt middle school in the Albuquerque public school district in Bernalillo county;~~ *LINE-ITEM VETO*

9. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct and equip facilities, including a multipurpose facility, for Moreno Valley charter high school in the Cimarron municipal school district in Colfax county;

10. two hundred fifty-eight thousand dollars (\$258,000) to purchase and install weights in Chaparral high school in the Gadsden independent school district in Dona Ana county;

11. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, purchase, install and furnish athletic facilities, including a track, bleachers, lighting and a scoreboard, at Ruidoso high school in the Ruidoso municipal school district in Lincoln county;

12. four hundred fifty thousand dollars (\$450,000) to plan, design, construct and equip a multipurpose athletic complex in the Mora independent school district in Mora county;

13. two hundred thousand dollars (\$200,000) to plan, design, purchase and install artificial turf on the football field in the Tularosa municipal school district in Otero county;

14. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, equip and purchase a building for the Espanola military academy in the Espanola public school district in Rio Arriba county;

15. five hundred thousand dollars (\$500,000) to plan, design, construct, equip and furnish a dormitory at Aztec high school in the Aztec municipal school district in San Juan county;

16. two hundred fifty thousand dollars (\$250,000) to purchase maintenance equipment for the Riverview golf course in the Central consolidated school district in San Juan county;

17. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, furnish, equip and make improvements to an addition to the gymnasium in the Pecos independent school district in San Miguel county;

18. two hundred thousand dollars (\$200,000) to plan, design, construct and equip a gymnasium and multipurpose building for Monte del Sol charter school in the Santa Fe public school district in Santa Fe county;

19. four million dollars (\$4,000,000) to purchase school buses statewide;

20. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase and equip buildings for Red River charter school in the Questa independent school district in Taos county;

21. one million dollars (\$1,000,000) to plan, design, construct and equip the Belen high school athletic complex in the Belen consolidated school district in Valencia county;

22. two hundred fifty thousand dollars (\$250,000) to plan, design and construct the field house at Belen high school in the Belen consolidated school district in Valencia county;

23. two hundred fifty thousand dollars (\$250,000) to plan, design and construct a football field at Valencia high school in the Los Lunas public school district in Valencia county; and

24. three million dollars (\$3,000,000) to construct pre-kindergarten classrooms statewide.

Chapter 92 Section 12 Laws 2008

Section 12. ENERGY, MINERALS AND NATURAL RESOURCES
DEPARTMENT PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the energy, minerals and natural resources department that the need exists for the issuance of the bonds, the following amounts are appropriated to the energy, minerals and natural resources department for the following purposes:

1. three hundred fifty thousand dollars (\$350,000) to purchase rights of way for, plan, design and construct improvements along the Santa Fe river between camino Alire and Frenchy's park in Santa Fe in Santa Fe county;

2. one million dollars (\$1,000,000) for engineering studies and environmental assessments and to purchase and equip fire trucks, conduct wildfire mitigation and forest restoration projects, increase global information systems capability and develop community wildfire protection plans statewide;

3. five hundred thousand dollars (\$500,000) to plan, design and construct the retrofitting of state park facilities for energy efficiency statewide;

4. three million five hundred thousand dollars (\$3,500,000) for clean energy grants to public entities or innovative energy projects intended to advance solutions to energy problems that have applicability or transferability across the state or regionally;

5. one million five hundred thousand dollars (\$1,500,000) for land and wildlife projects, conservation easements and fee land acquisitions for working farms and ranches, forests and watersheds, natural areas, outdoor recreation and trails and wildlife habitat and for land and habitat restoration; and

6. three hundred ninety thousand dollars (\$390,000) for land and right-of-way acquisition, easements, equipment and improvements for a protected Santa Fe river corridor at the Santa Fe river in Santa Fe county.

Chapter 92 Section 13 Laws 2008

Section 13. STATE PARKS DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT PROJECT--SEVERANCE TAX BONDS.-- Pursuant to the provisions of Section 1 of this act, upon certification by the state parks division of the energy, minerals and natural resources department that the need exists for the issuance of the bonds, one million dollars (\$1,000,000) is appropriated to the state parks division of the energy, minerals and natural resources department to plan, design, construct and improve parking lots, roads, campgrounds, park buildings, utilities, furnishings and signs at state parks statewide.

Chapter 92 Section 14 Laws 2008

Section 14. OFFICE OF THE STATE ENGINEER PROJECTS-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the office of the state engineer that the need exists for the issuance of the bonds, the following amounts are appropriated to the office of the state engineer for the following purposes:

1. one million two hundred fifty thousand dollars (\$1,250,000) to acquire rights of way for and plan, design and construct a pipeline on the eastern portion of the Navajo Nation in McKinley and San Juan counties;

2. four hundred fifty thousand dollars (\$450,000) to plan, design, purchase land for and construct flood control structures in the Picacho Hills area in Dona Ana county;

3. two hundred thirty thousand dollars (\$230,000) to plan and design a surface water intake structure and pump station wet well at Ute reservoir for the eastern New Mexico rural water authority in Quay county;

4. four hundred thousand dollars (\$400,000) to purchase and install real-time data collection water measurement stations for surface water measurement statewide;

5. five hundred thousand dollars (\$500,000) to plan, design and construct, including renovations to the diversion structure, the Las Vegas dam in San Miguel county;

6. one million dollars (\$1,000,000) for equipment and construction of the Elephant Butte [~~irrigation flood control~~] channel in Sierra county; *LINE-ITEM VETO*

7. two million dollars (\$2,000,000) for emergency repairs at dams statewide;

8. four hundred thousand dollars (\$400,000) to purchase and install well meters for ground water measurement statewide;

9. one million eight hundred thousand dollars (\$1,800,000) for purchasing water rights and land and making related infrastructure improvements to implement the long-term strategy for the state's permanent compliance with the Pecos River Compact and the United States supreme court amended decree in *Texas v. New Mexico*, No. 65 original; and

10. three million two hundred thousand dollars (\$3,200,000) for repairs and improvements to Cabresto dam in Taos county.

Chapter 92 Section 15 Laws 2008

Section 15. DEPARTMENT OF ENVIRONMENT PROJECTS-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the department of environment that the need exists for the issuance of the bonds, the following amounts are appropriated to the department of environment for the following purposes:

1. two hundred thousand dollars (\$200,000) to plan, design, construct and replace a sewer interceptor on south Coors boulevard for the Albuquerque Bernalillo county water utility authority in Bernalillo county;

2. one hundred thousand dollars (\$100,000) to plan, design and construct a water distribution system for the To'hajiilee chapter of the Navajo Nation in Bernalillo county;

3. fifty thousand dollars (\$50,000) to plan, design, construct and equip improvements to the water system in Dexter in Chaves county;

4. fifty thousand dollars (\$50,000) to plan, design, construct, purchase and make improvements to the water system, including water tanks and valves, in Hagerman in Chaves county;

5. fifty thousand dollars (\$50,000) to plan, design and construct improvements to the water system in Lake Arthur in Chaves county;

6. two hundred thousand dollars (\$200,000) to plan, design, construct and equip infrastructure and improvements to the wastewater system, including drainage, in Cubero in Cibola county;

7. two hundred thousand dollars (\$200,000) to plan, design, construct and make improvements to the water and wastewater system in Grants in Cibola county;

8. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, equip and furnish water and wastewater system improvements in Cimarron in Colfax county;

9. two hundred thousand dollars (\$200,000) to plan, design and construct water and wastewater system improvements in Eagle Nest in Colfax county;

10. two hundred twenty-five thousand dollars (\$225,000) to plan, design and construct water system improvements, including a water tank and related infrastructure, in Maxwell in Colfax county;

11. one hundred twenty-five thousand dollars (\$125,000) to purchase a roll-off truck for Springer in Colfax county;

12. three hundred thousand dollars (\$300,000) to plan, design and construct water system improvements, including a water siphon system, in Springer in Colfax county;

13. two hundred five thousand one hundred ninety-eight dollars (\$205,198) to plan, design, construct, repair and equip the wastewater treatment plant in Clovis in Curry county;

14. one hundred fifty thousand dollars (\$150,000) to plan, design and construct water and wastewater improvements in Texico in Curry county;

15. two hundred seventy thousand dollars (\$270,000) to purchase equipment for a transfer station, including a truck, trailers and a compactor, in De Baca county;

16. three hundred thousand dollars (\$300,000) to plan, design, construct, renovate and replace the sewer system, including manholes and sewer mains, in Fort Sumner in De Baca county;

17. three hundred thousand dollars (\$300,000) to plan, design, construct and equip water and sewer system improvements to extend service to Gadsden elementary school in the Anthony water and sanitation district in Dona Ana county;

18. two hundred fifteen thousand dollars (\$215,000) to plan, design, construct and equip an administration building and parking lot, including site improvements, lighting, signage, relocation and demolition of a portable building, for La Mesa mutual domestic water consumers association in Dona Ana county;

19. one hundred eighty thousand dollars (\$180,000) to plan, design, acquire rights of way and construct a sewer lift station in Mesilla in Dona Ana county;

20. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and equip the Double Eagle water system in Carlsbad in Eddy county;

21. two hundred thousand dollars (\$200,000) to plan, design and construct a solid waste transfer station in Carlsbad in Eddy county;

22. forty-five thousand dollars (\$45,000) to purchase dumpsters for Loving in Eddy county;

23. two hundred thousand dollars (\$200,000) to plan, design, construct and equip a wastewater facility in Santa Clara in Grant county;

24. two hundred thousand dollars (\$200,000) to plan, design and construct improvements, including lining, to the landfill in Vaughn in Guadalupe county;

25. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct improvements to the water and wastewater systems in Mosquero in Harding county;

26. two hundred thousand dollars (\$200,000) to plan, design and construct improvements to the sewer system in Roy in Harding county;

27. two hundred thousand dollars (\$200,000) to plan, design, construct and improve a water storage tank in Lordsburg in Hidalgo county;

28. six hundred thousand dollars (\$600,000) to plan, design, construct and equip a wastewater treatment plant in Eunice in Lea county;

29. two hundred fifty thousand dollars (\$250,000) to plan, design and construct improvements to the water system in Hobbs in Lea county;

30. fifty-five thousand dollars (\$55,000) to plan, design, construct and purchase a water storage tank in Jal in Lea county;

31. two hundred seventy-six thousand dollars (\$276,000) to plan, design and construct improvements to the wastewater system, including a treatment plant, in Capitan in Lincoln county;

32. two hundred thousand dollars (\$200,000) to plan, design, construct and equip water and wastewater management system improvements in Corona in Lincoln county;

33. seven hundred fifty thousand dollars (\$750,000) to plan, design and construct improvements to the regional wastewater treatment plant in Ruidoso in Lincoln county;

34. seven hundred fifty thousand dollars (\$750,000) to plan, design, construct and equip a regional wastewater treatment plant in Ruidoso Downs in Lincoln county;

35. three hundred thousand dollars (\$300,000) to plan, design and construct improvements to the effluent reuse projects in Los Alamos county;

36. two hundred thousand dollars (\$200,000) to plan, design and construct a fire hydrant extension, including water line and fire hydrant construction, along Camp May road in Los Alamos in Los Alamos county;

37. three hundred ten thousand dollars (\$310,000) to plan, design and construct improvements, including cells, at the northwest New Mexico regional solid waste authority in McKinley county;

38. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and purchase water system improvements in Ramah [~~in McKinley county~~]; *LINE-ITEM VETO*

39. one hundred fifty thousand dollars (\$150,000) to plan, design and construct water and wastewater systems, including treatment facilities, at the Pueblo of Zuni in McKinley county;

40. two hundred twenty-five thousand dollars (\$225,000) to plan, design and construct improvements to the water and wastewater systems in Wagon Mound in Mora county;

41. one hundred twenty thousand dollars (\$120,000) to purchase land for, plan, design and construct additional water system facilities for the Greater Chimayo mutual domestic water consumers association in Santa Fe and Rio Arriba counties;

42. fifty thousand dollars (\$50,000) to equip and construct upgrades to the water meter reading system for the Tres Piedras mutual domestic water consumers association in Taos and Rio Arriba counties;

43. one hundred fifty thousand dollars (\$150,000) to plan, design, equip and construct water system improvements, including lines, storage tanks, meters and filtration, for the Twin Forks mutual domestic water consumers association in Otero county;

44. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, purchase and equip improvements to the water system, including replacement of water and sewer lines, for the water reclamation project in Cloudcroft in Otero county;

45. two hundred thousand dollars (\$200,000) to plan, design, construct and equip improvements to the water treatment facility in Tularosa in Otero county;

46. one hundred thousand dollars (\$100,000) to purchase equipment and a truck loader for the landfill and transfer station in Logan in Quay county;

47. three hundred eighty thousand dollars (\$380,000) to plan, design, construct, repair and equip improvements to the water and wastewater systems, including the water production and delivery system, in Tucumcari in Quay county;

48. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, replace and improve the water system for the Ensenada mutual domestic water consumers and mutual sewage works association in Rio Arriba county;

49. three hundred fifty thousand dollars (\$350,000) to plan, design and construct a community water system, including water transmission and distribution lines, in Alcalde in Rio Arriba county;

50. three hundred thousand dollars (\$300,000) to plan, design and construct water and wastewater system improvements in Chama in Rio Arriba county;

51. two hundred fifty thousand dollars (\$250,000) to plan, design and construct water system improvements to comply with the Safe Drinking Water Act of 1974 in Espanola in Rio Arriba county;

52. four hundred seventy-five thousand dollars (\$475,000) to plan, design and construct improvements to the water and wastewater systems on north First street and the North Heights area in Bloomfield in San Juan county;

53. five hundred thousand dollars (\$500,000) to plan, design and construct a wastewater system in Flora Vista in San Juan county;

54. four hundred thousand dollars (\$400,000) to plan, design, purchase, construct and equip a solid waste baler and transfer station at the county public works facility in San Miguel county;

55. two hundred fifty thousand dollars (\$250,000) to plan, design and construct improvements to the water and sewer system in Bernalillo in Sandoval county;

56. three hundred thousand dollars (\$300,000) to plan, design, construct and equip water and wastewater system improvements in Cuba in Sandoval county;

57. nine hundred twenty-five thousand dollars (\$925,000) to plan, design and construct a north central economic development area water system in Rio Rancho in Sandoval county;

58. two hundred thousand dollars (\$200,000) to plan, design and construct a roadway wastewater collection system, including lines, in Edgewood in Santa Fe county;

59. two hundred thousand dollars (\$200,000) to plan, design and construct improvements to the water and wastewater systems, including the distribution system, lines and tanks, in Truth or Consequences in Sierra county;

60. one hundred fifty thousand dollars (\$150,000) to plan, design and construct water and wastewater treatment facilities in Questa in Taos county;

61. one hundred twenty-seven thousand dollars (\$127,000) to plan, design and construct improvements to the wastewater treatment plant and sludge dewatering system in Red River in Taos county;

62. two hundred twenty-five thousand dollars (\$225,000) to plan, design and construct improvements, including installation of pressure relief stations, to the water system in Taos Ski Valley in Taos county;

63. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, equip and install water system improvements, including water meters and pumps, in Willard in Torrance county; and

64. two hundred fifty thousand dollars (\$250,000) to plan, design and construct water system improvements in Belen in Valencia county.

Chapter 92 Section 16 Laws 2008

Section 16. STATE FAIR COMMISSION PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the state fair commission that the need exists for the issuance of the bonds, the following amounts are appropriated to the state fair commission for the following purposes:

1. five hundred sixty-five thousand dollars (\$565,000) to plan, design, construct and equip an addition to the African American performing arts center and exhibit hall at the New Mexico state fairgrounds in Albuquerque in Bernalillo county; and

2. two million dollars (\$2,000,000) for a facilities master plan and to plan, design, construct, equip and furnish improvements to facilities and grounds at the New Mexico state fairgrounds in Albuquerque in Bernalillo county.

Chapter 92 Section 17 Laws 2008

Section 17. DEPARTMENT OF FINANCE AND ADMINISTRATION PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the department of finance and administration that the need exists for the issuance of the bonds, the following amounts are appropriated to the department of finance and administration for the following purposes:

1. three hundred seventy-eight thousand dollars (\$378,000) for disbursement to the New Mexico mortgage finance authority to plan, design and construct the Silver Gardens and Workforce Housing residential affordable housing rental projects and parking structures pursuant to the provisions of the Affordable Housing Act in Albuquerque in Bernalillo county;

2. two hundred thousand dollars (\$200,000) for disbursement to the New Mexico mortgage finance authority to plan, design and construct infrastructure and improvements for affordable housing pursuant to the provisions of the Affordable Housing Act in Portales in Roosevelt county;

3. two million dollars (\$2,000,000) for disbursement to the New Mexico mortgage finance authority for infrastructure, land, building and financing projects statewide pursuant to the Affordable Housing Act;

4. two million eight hundred thousand dollars (\$2,800,000) for projects that restore in-stream ecosystem function and watershed health to major river basins statewide; and

5. two million five hundred thousand dollars (\$2,500,000) to conduct leak detection, regional and demonstration projects for water systems statewide.

Chapter 92 Section 18 Laws 2008

Section 18. DEPARTMENT OF GAME AND FISH PROJECTS-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the department of game and fish that the need exists for the issuance of the bonds, the following amounts are appropriated to the department of game and fish for the following purposes:

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

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

Chapter 92 Section 19 Laws 2008

Section 19. INDIAN AFFAIRS DEPARTMENT PROJECTS-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the Indian affairs department that the need exists for the issuance of the bonds, the following amounts are appropriated to the Indian affairs department for the following purposes:

1. two hundred sixty-four thousand dollars (\$264,000) to plan, design, engineer and construct parking lot improvements for the Indian pueblo cultural center in Albuquerque in Bernalillo county;

2. two hundred thousand dollars (\$200,000) to plan, design and construct water and wastewater system improvements at the Pueblo of Acoma in Cibola county;

3. two hundred thousand dollars (\$200,000) to plan, design and construct improvements to the water system and to conduct a southwest water loop study at the Pueblo of Laguna in Cibola county;

4. one hundred thousand dollars (\$100,000) to purchase and equip a motor grader for the Casamero Lake chapter of the Navajo Nation in McKinley county;
5. one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, furnish and equip the culinary arts building and hospitality center at Navajo technical college in Crownpoint in McKinley county;
6. two hundred ten thousand dollars (\$210,000) to plan, design, construct and renovate bathroom additions in the Pinedale chapter of the Navajo Nation in McKinley county;
7. two hundred seventy-five thousand dollars (\$275,000) to develop the site for and plan, design, construct, equip and make improvements to the veterans' hall at the Smith Lake chapter of the Navajo Nation in McKinley county;
8. five hundred fifty-one thousand dollars (\$551,000) to plan, design, construct, equip and furnish an educational complex at the Pueblo of Isleta in Bernalillo county;
9. two hundred fifty thousand dollars (\$250,000) to plan, design, install and construct a water system, including a water filtration system, for the Pueblo of Sandia in Sandoval county;
10. two hundred thousand dollars (\$200,000) to repair, upgrade, equip and connect water system storage tanks for the Mescalero Apache Tribe in Mescalero in Otero county;
11. one hundred thousand dollars (\$100,000) to purchase and equip a motor grader for the Little Water chapter of the Navajo Nation in San Juan county;
12. two hundred thousand dollars (\$200,000) to plan, design and construct power line extensions to scattered homes on the New Mexico side of the state line in the Red Valley chapter of the Navajo Nation in San Juan county;
13. three hundred thousand dollars (\$300,000) to purchase and equip a motor grader for the Sanostee chapter of the Navajo Nation in San Juan county;
14. five million dollars (\$5,000,000) to plan, design and construct a library, including improvements to comply with the Americans with Disabilities Act of 1990, at Dine college in Shiprock in San Juan county;
15. three hundred twenty-five thousand dollars (\$325,000) to design, construct and equip a veterans' center in the T'iistoh Sikaad chapter of the Navajo Nation in San Juan county;

16. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and furnish a multiuse facility and cultural center at the Pueblo of Cochiti in Sandoval county;

17. two hundred thousand dollars (\$200,000) to plan, design and construct improvements to dams, waterways and culverts at the Pueblo of Jemez in Sandoval county;

18. two hundred thousand dollars (\$200,000) to plan, design, construct and equip an effluent storage pond at the Pueblo of Santa Ana in Sandoval county;

19. three hundred sixty-five thousand dollars (\$365,000) to plan, design, construct, furnish and equip a fire and emergency medical facility at the Pueblo of Santa Ana in Sandoval county;

20. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and furnish a multipurpose education and wellness center at the Pueblo of Santa Ana in Sandoval county;

21. four hundred thirty-five thousand dollars (\$435,000) to plan, design and construct a fire, emergency services and safety complex at the Pueblo of Santo Domingo in Sandoval county;

22. three hundred seventy-five thousand dollars (\$375,000) to plan, design, construct and equip an ambulatory health care facility at the Pueblo of Zia in Sandoval county;

23. five hundred thousand dollars (\$500,000) to plan, design and construct education facilities at the institute of American Indian arts in Santa Fe county;

24. one hundred fifty thousand dollars (\$150,000) to plan, design and construct a multipurpose building at the Pueblo of Nambe in Santa Fe county;

25. two hundred thousand dollars (\$200,000) to plan, design, construct and equip, including landscaping, the traditional ceremonial facility at the Pueblo of Pojoaque in Santa Fe county;

26. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, equip, install, renovate and expand the Pojoaque wellness center, including landscaping, in the Pueblo of Pojoaque in Santa Fe county;

27. two hundred thousand dollars (\$200,000) for disbursement to the New Mexico mortgage finance authority to plan, design and construct infrastructure for affordable housing, pursuant to the provisions of the Affordable Housing Act, at the Pueblo of San Ildefonso in Santa Fe county;

28. two hundred fifty thousand dollars (\$250,000) to plan, design, construct and equip a multipurpose law enforcement training facility at the Pueblo of Tesuque in Santa Fe county;

29. two hundred thousand dollars (\$200,000) to purchase a dump truck and equipment, including a grader, bulldozer and front-end loaders, for the Pueblo of Picuris in Taos county; and

30. two hundred thousand dollars (\$200,000) to plan, design and construct repairs and improvements to the drainage and irrigation systems in the Pueblo of Taos in Taos county.

Chapter 92 Section 20 Laws 2008

Section 20. DEPARTMENT OF INFORMATION TECHNOLOGY PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the department of information technology that the need exists for the issuance of the bonds, one million eight hundred thousand dollars (\$1,800,000) is appropriated to the department of information technology to purchase a computing system[~~-, contingent on the state receiving an award from the national science foundation to develop a supercomputing system].~~ *LINE-ITEM VETO*

Chapter 92 Section 21 Laws 2008

Section 21. LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION PROJECTS--SEVERANCE TAX

BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the local government division of the department of finance and administration that the need exists for the issuance of the bonds, the following amounts are appropriated to the local government division of the department of finance and administration for the following purposes:

1. two hundred sixty-two thousand dollars (\$262,000) to plan and design a dance facility for use by an organization providing after-school, in-school and weekend programs in Bernalillo county;

2. two hundred eighty thousand dollars (\$280,000) to plan, design, construct, equip and furnish improvements to Patricia Cassidy park in Bernalillo county;

3. eight hundred five thousand dollars (\$805,000) to plan, design, equip and construct multipurpose fields and facilities at the Bernalillo county regional recreation complex at the Mesa del Sol development in Bernalillo county;

4. two hundred ninety thousand dollars (\$290,000) to plan, design, construct, equip and furnish improvements to Gateway park in the south valley of Bernalillo county;
5. three hundred seventy-one thousand dollars (\$371,000) to purchase land for a balloon fiesta landing site in Albuquerque in Bernalillo county;
6. three hundred forty thousand dollars (\$340,000) to plan, design, purchase, install, equip and furnish exhibits for the Anderson-Abruzzo international balloon museum in Albuquerque in Bernalillo county;
7. six hundred thirty-five thousand dollars (\$635,000) to plan, design, construct and equip a community center in north Domingo Baca park in Albuquerque in Bernalillo county;
8. three hundred fifty-five thousand dollars (\$355,000) to construct, equip and furnish a business incubator, including technology equipment, in the east downtown area of Albuquerque in Bernalillo county;
9. two million dollars (\$2,000,000) to plan, design and construct an equestrian facility in Albuquerque in Bernalillo county;
10. two hundred twenty-five thousand dollars (\$225,000) to plan, design, renovate and construct improvements, including ramps, walkways, paving, renovations of concession buildings and field improvements, to city-owned Roadrunner little league facilities in Albuquerque in Bernalillo county;
11. two hundred forty-five thousand dollars (\$245,000) to plan, design, construct and equip improvements, including landscaping, turf, drainage, parking lots and security, at the city-owned Mile High little league complex in Albuquerque in Bernalillo county;
12. two hundred thirty-four thousand dollars (\$234,000) to purchase and install synthetic turf on the softball and baseball fields at Redlands park in Albuquerque in Bernalillo county;
13. two hundred thousand dollars (\$200,000) for improvements to Tower community park and city-owned Westgate little league facilities in Albuquerque in Bernalillo county;
14. one hundred forty-five thousand dollars (\$145,000) to purchase, plan, design, construct and equip a building, including land acquisition, in the west Central metropolitan redevelopment area in Albuquerque in Bernalillo county;
15. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish a youth crisis shelter in Albuquerque in Bernalillo county;

16. three hundred nine thousand dollars (\$309,000) to plan, design, construct and renovate facilities for a penguin exhibit at the Rio Grande zoo in Albuquerque in Bernalillo county;

17. three hundred ninety thousand dollars (\$390,000) to plan, design, construct, furnish and equip Edward L. Romero park in Bernalillo county;

18. three hundred thousand dollars (\$300,000) to plan, design, construct, equip and furnish a county transitional living facility for women and children in Albuquerque in Bernalillo county;

19. two hundred thousand dollars (\$200,000) to plan, design and construct a fire station, including dormitories, an equipment bay exhaust system, equipment bays, storage areas and training and administration rooms, in Los Ranchos de Albuquerque in Bernalillo county;

20. one hundred thousand dollars (\$100,000) to plan, design and construct a veterans' memorial in Tijeras in Bernalillo county;

21. one hundred twenty-five thousand dollars (\$125,000) to purchase and equip an ambulance for Catron county;

22. one hundred thousand dollars (\$100,000) to plan, design, construct and equip a fire department substation in the Reserve area of Catron county;

23. two hundred five thousand dollars (\$205,000) to plan, design, construct and equip a multipurpose facility in Reserve in Catron county;

24. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and furnish a high-volume spay and neuter clinic in Chaves county;

25. three hundred thousand dollars (\$300,000) to design and construct a parking lot and Spring river channel reconstruction at the cultural center in Roswell in Chaves county;

26. three hundred twenty thousand dollars (\$320,000) to purchase and equip a ladder fire truck in Angel Fire in Colfax county;

27. four hundred twenty-five thousand dollars (\$425,000) to plan, design, construct, furnish and equip a regional recreation and aquatic center in Raton in Colfax county;

28. two hundred thousand dollars (\$200,000) to plan, design, construct and equip the Clovis industrial park, including rail spurs, switches, roads and utility infrastructure, in Curry county;

29. eight hundred fifty thousand dollars (\$850,000) to plan, design, construct, equip and furnish the county special events center in Clovis in Curry county;

30. three hundred three thousand dollars (\$303,000) to purchase and upgrade emergency services equipment, including firefighting equipment and vehicles, in Grady in Curry county;

31. two hundred fifty thousand dollars (\$250,000) to acquire land for, plan, design, construct, purchase and equip a fire department substation in Melrose in Curry county;

32. two hundred fifty thousand dollars (\$250,000) to plan, design and construct improvements, including drainage, to San Miguel park in Dona Ana county;

33. two hundred thousand dollars (\$200,000) to purchase buildings and land for, plan, design and construct improvements, including sidewalks, lighting and landscaping, to the Camino Real area of Dona Ana in Dona Ana county;

34. two hundred twenty-five thousand dollars (\$225,000) to plan, design and construct a swimming and training facility, including purchase and installation of equipment, in Hatch in Dona Ana county;

35. three hundred thousand dollars (\$300,000) to plan, design and construct a veterans' transitional housing complex in Las Cruces in Dona Ana county;

36. two hundred ninety-five thousand dollars (\$295,000) to plan, design and construct the downtown plaza in Las Cruces in Dona Ana county;

37. two hundred thirty thousand dollars (\$230,000) to design, construct, renovate and expand a housing complex for homeless veterans in Las Cruces in Dona Ana county;

38. five hundred ninety-four thousand dollars (\$594,000) to plan, design, construct, equip and furnish the regional recreation and aquatics center swimming pool in Las Cruces in Dona Ana county;

39. two hundred fifteen thousand dollars (\$215,000) to plan, construct, equip and furnish renovations and additions, including heating, ventilation and air conditioning, to the city-owned La Casa shelter and transitional housing facilities in Las Cruces in Dona Ana county;

40. three hundred seventy-five thousand dollars (\$375,000) to plan, design, construct, equip, improve and purchase land for a county emergency response station to provide hazmat and emergency response to the Santa Teresa port of entry and the surrounding area in Dona Ana county;

41. five hundred twenty-five thousand dollars (\$525,000) to plan, design and construct the Legacy regional substance abuse treatment center in Eddy county;
42. two hundred thirty thousand dollars (\$230,000) to purchase and make improvements, including purchase and installation of equipment, to ambulances for Artesia in Eddy county;
43. forty-five thousand dollars (\$45,000) to purchase and install equipment, appliances and furniture for the community center in Hope in Eddy county;
44. one hundred thirty thousand dollars (\$130,000) to plan, design, construct, expand and renovate the public library, including demolition, in Bayard in Grant county;
45. three hundred forty thousand dollars (\$340,000) to plan, design, construct, equip and renovate the courthouse in Guadalupe county;
46. one hundred twenty thousand dollars (\$120,000) to purchase and equip a tanker vessel for fire district one in Harding county;
47. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish the emergency medical services building in Hidalgo county;
48. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and furnish improvements to the village hall in Virden in Hidalgo county;
49. seven hundred ninety-one thousand dollars (\$791,000) to plan, design, construct, equip and furnish the county detention center in Lordsburg in Hidalgo county;
50. seven hundred fifty thousand dollars (\$750,000) to plan, design, construct, renovate and equip a recreational facility in Lovington in Lea county;
51. two hundred twenty-five thousand dollars (\$225,000) to purchase a backhoe and trailer for Tatum in Lea county;
52. two hundred thousand dollars (\$200,000) to purchase and equip a pumper-tanker for the fire station in Lincoln county;
53. one hundred fifty thousand dollars (\$150,000) to purchase and equip a maintenance truck for Carrizozo in Lincoln county;
54. four hundred thousand dollars (\$400,000) to plan, design, construct, equip and furnish a youth recreational facility in Luna county;

55. three hundred thousand dollars (\$300,000) to purchase and install improvements, including books, media, information technology and related equipment, furniture and infrastructure, for the library in Columbus in Luna county;

56. two hundred fifty thousand dollars (\$250,000) to plan, design, construct and equip an adult softball complex in Deming in Luna county;

57. two hundred fifty thousand dollars (\$250,000) to purchase and install emergency dispatch center equipment in Deming in Luna county;

58. four hundred seventy-three thousand dollars (\$473,000) to plan, design, construct, renovate and equip an expansion to the fire substation, including site improvements and a generator, at the airport in Deming in Luna county;

59. one hundred fifty thousand dollars (\$150,000) to plan, design and construct mainstreet improvements, including landscaping, gateway features, lighting and bicycle and walking trails, in Gallup in McKinley county;

60. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish and equip the Mora county courthouse in Mora county;

61. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, equip and furnish a medical clinic in Chaparral in Otero county;

62. two hundred seventy-four thousand dollars (\$274,000) to plan, design, construct, renovate, equip and furnish a multiuse building complex, including demolition of existing structures, at the fairgrounds in Otero county;

63. two hundred thousand dollars (\$200,000) to plan, design, construct and equip a fire station in the northern area of Alamogordo near the relief route in Otero county;

64. three hundred thousand dollars (\$300,000) to purchase, repair and upgrade a rock crusher for Quay county;

65. three hundred thousand dollars (\$300,000) to plan, design, construct, purchase and equip a fire truck and facility in San Jon in Quay county;

66. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, furnish and equip a fire station, including a pumper tanker, for the Abiquiu volunteer fire department in Abiquiu in Rio Arriba county;

67. one hundred twenty thousand dollars (\$120,000) to plan, design, construct, equip and furnish a fire department substation in the Dora area in Roosevelt county;

68. thirty-five thousand dollars (\$35,000) to purchase and equip maintenance vehicles for Elida in Roosevelt county;
69. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate and equip an expansion to the fire department in Floyd in Roosevelt county;
70. two hundred thousand dollars (\$200,000) to equip and furnish a law enforcement center in San Juan county;
71. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, furnish, equip and improve the communications authority facility in San Juan county;
72. two hundred fourteen thousand dollars (\$214,000) to purchase property for, plan, design, construct, equip and furnish the San Juan regional animal shelter, including a feasibility study, in Farmington in San Juan county;
73. three hundred twenty-five thousand dollars (\$325,000) to plan, design, construct, equip and furnish fire stations seven and eight in Farmington in San Juan county;
74. three hundred ten thousand dollars (\$310,000) to plan, design, construct and equip the soccer complex, including paving, drainage, traffic control, lighting and a potable water system, and to purchase maintenance, mowing and marking equipment, tractors and bleachers in Bernalillo in Sandoval county;
75. two hundred thirty-five thousand dollars (\$235,000) to plan, design and construct expansion and renovation of the county-owned Haven House domestic violence shelter in Rio Rancho in Sandoval county;
76. eight hundred thousand dollars (\$800,000) to purchase, equip and install radar at the Santa Fe municipal airport in Santa Fe county;
77. one hundred thousand dollars (\$100,000) to plan and design the Santa Fe innovation park, a technology, industry, public policy and education center for the Santa Fe region in Santa Fe county, contingent on the site being owned by the state or a political subdivision of the state;
78. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish, equip and install an athletic complex in the east mountain area of Edgewood in Santa Fe county;
79. three hundred ten thousand dollars (\$310,000) to plan, design and construct multiuse recreational fields in Edgewood in Santa Fe county;

80. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and upgrade the park and to purchase the Nambe head start property in Nambe in Santa Fe county;

81. three hundred fifty thousand dollars (\$350,000) to plan, design, construct and equip fire station number three in Santa Fe in Santa Fe county;

82. two hundred fifty thousand dollars (\$250,000) to plan, design and construct a police substation in Santa Fe in Santa Fe county;

83. seven hundred twenty-five thousand dollars (\$725,000) to plan, design, construct and improve the Santa Fe railyard park and plaza in Santa Fe in Santa Fe county;

84. five hundred twenty thousand dollars (\$520,000) to plan, design, construct, equip and improve the veterans' services department and first responder space of the Santa Fe rape crisis and trauma treatment center in Santa Fe in Santa Fe county;

85. one million twenty-four thousand dollars (\$1,024,000) to plan, design, construct and equip a hospital in Truth or Consequences in Sierra county;

86. three hundred thousand dollars (\$300,000) to plan, design, construct, equip and improve roads and parks in Socorro county;

87. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, furnish and equip the fire and emergency medical services facilities and expansion in Magdalena in Socorro county;

88. two hundred thousand dollars (\$200,000) to plan, design, equip, furnish and construct a multipurpose administrative, judicial and detention complex, including demolition of existing buildings, in Taos county;

89. fifty thousand dollars (\$50,000) to plan, design, construct and equip the recreational fields in Questa in Taos county;

90. two hundred twenty-five thousand dollars (\$225,000) to plan, design and construct improvements at the Taos community auditorium, including improvements to comply with the Americans with Disabilities Act of 1990, in Taos in Taos county;

91. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, renovate, equip and furnish administration and judicial buildings in Torrance county;

92. three hundred ten thousand dollars (\$310,000) to plan, design, construct, equip and furnish city ball field facilities at the multipurpose center in Belen in Valencia county;

93. two hundred sixty thousand dollars (\$260,000) to plan, design, construct, renovate, equip and furnish improvements to the library in Bosque Farms in Valencia county;

94. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, equip and furnish a facility for the Los Lunas westside fire substation, including fire truck and emergency medical services bays, sleeping quarters and office and training areas, in Los Lunas in Valencia county; and

95. four hundred fifteen thousand dollars (\$415,000) to purchase, construct, renovate, equip and furnish a town hall building in Peralta in Valencia county.

Chapter 92 Section 22 Laws 2008

Section 22. DEPARTMENT OF MILITARY AFFAIRS PROJECT-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the department of military affairs that the need exists for the issuance of the bonds, two million five hundred thousand dollars (\$2,500,000) is appropriated to the department of military affairs to renovate the Santa Fe aviation readiness center, including an addition, in Santa Fe county.

Chapter 92 Section 23 Laws 2008

Section 23. PUBLIC REGULATION COMMISSION PROJECT-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the public regulation commission that the need exists for the issuance of the bonds, two hundred thousand dollars (\$200,000) is appropriated to the public regulation commission to plan, design and construct an evidence processing and storage center at the firefighters training academy in Socorro in Socorro county.

Chapter 92 Section 24 Laws 2008

Section 24. DEPARTMENT OF TRANSPORTATION PROJECTS-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the department of transportation that the need exists for the issuance of the bonds, the following amounts are appropriated to the department of transportation for the following purposes:

1. one hundred thousand dollars (\$100,000) to plan, design and construct safety improvements on Arenal road, including traffic signal improvements, in Bernalillo county;

2. five hundred ninety thousand dollars (\$590,000) to plan, design and construct railroad crossings in the north valley in Bernalillo county;
3. three hundred ten thousand dollars (\$310,000) to plan, design and construct a multiuse trail and bicycling facilities along Frost road, including surveying, engineering and environmental assessments, in Bernalillo county;
4. four hundred sixty thousand dollars (\$460,000) to plan, design and construct the university of New Mexico lobo station for the New Mexico rail runner express at avenida Cesar Chavez and the railroad tracks in Albuquerque in Bernalillo county;
5. two hundred thousand dollars (\$200,000) to plan, design and construct sidewalks and bicycle lanes in Los Ranchos de Albuquerque in Bernalillo county;
6. one hundred fifty thousand dollars (\$150,000) to plan, design and construct street improvements, including sidewalks, curbs, gutters, lighting and paving, in Hatch in Dona Ana county;
7. four hundred ninety thousand dollars (\$490,000) to plan, design and construct lane extensions to McNutt road and Cristo Rey road, including a railroad bridge underpass, in Sunland Park in Dona Ana county;
8. two hundred fifty thousand dollars (\$250,000) to plan, design and construct roads, drainage and flood control improvements, including a lift station, in Tortugas in Dona Ana county;
9. three hundred thousand dollars (\$300,000) to plan, design and construct South Loop road, including a bridge, in Eddy county;
10. one hundred sixty-two thousand dollars (\$162,000) to plan, design and construct improvements to the school bus routes in Grant county;
11. two hundred thousand dollars (\$200,000) to plan, design and construct street improvements, including sidewalks, lighting and drainage, in Bayard in Grant county;
12. ninety thousand dollars (\$90,000) to plan, design and construct road improvements to Pinehaven road in McKinley county;
13. five hundred twenty-four thousand dollars (\$524,000) to plan, design and construct a traffic signal at the intersection of Second street, Park avenue and Apache circle in Gallup in McKinley county;

14. two hundred fifty thousand dollars (\$250,000) to plan, design, construct and improve the Allison corridor bypass between New Mexico highway 118 and New Mexico highway 491 in Gallup in McKinley county;

15. five hundred thousand dollars (\$500,000) to purchase buses and to plan, design and construct transit equipment, including bus facilities, for the north central regional transit district in Santa Fe, Taos, Rio Arriba and Los Alamos counties;

16. two hundred thousand dollars (\$200,000) to plan, design and construct flood control and storm drainage improvements countywide in Otero county;

17. one hundred fifty thousand dollars (\$150,000) to construct handicapped-accessible routes citywide that comply with the provisions of the Americans with Disabilities Act of 1990 in Alamogordo in Otero county;

18. four hundred ninety-five thousand dollars (\$495,000) to plan, design and construct road improvements in Roosevelt county;

19. four hundred twenty-five thousand dollars (\$425,000) to plan, design, construct and purchase infrastructure for the east Aztec arterial route in Aztec in San Juan county;

20. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, equip and furnish improvements to hangars and infrastructure at the Farmington municipal airport in San Juan county;

21. two hundred ninety thousand dollars (\$290,000) to plan, design, construct and extend Pinon Hill boulevard, including a new bridge, in Farmington in San Juan county;

22. two hundred sixty thousand dollars (\$260,000) to plan, design and construct the northwest corridor loop road connecting interstate highway 40 and interstate highway 25 west of Rio Rancho and Albuquerque in Sandoval county;

23. three hundred thirty-two thousand dollars (\$332,000) to plan, design and construct drainage improvements, including paving, curbs and right-of-way acquisition, in the Chamiza Estates area for the southern Sandoval county arroyo flood control authority in Sandoval county;

24. five hundred seventy-five thousand dollars (\$575,000) to plan, design and construct Loma Larga road in Corrales in Sandoval county;

~~[25. two hundred fifty thousand dollars (\$250,000) to plan, design and construct sidewalks on Lisbon street from Southern boulevard to Tarpon road to Southern boulevard in Rio Rancho in Sandoval county;] LINE-ITEM VETO~~

26. two hundred thousand dollars (\$200,000) to plan, design and construct water and sewer line extensions on the 2400 block of Agua Fria street in Santa Fe in Santa Fe county;

27. one hundred fifty thousand dollars (\$150,000) to plan, design and construct improvements to infrastructure and facilities in Williamsburg in Sierra county;

28. three hundred fifty thousand dollars (\$350,000) to plan, design and construct street improvements, including surfacing and related infrastructure and equipment, in Socorro in Socorro county;

29. two hundred thousand dollars (\$200,000) to plan, design and construct improvements to streets in Estancia in Tarrant county;

30. three hundred twenty-five thousand dollars (\$325,000) to plan, design and construct improvements, including resurfacing, to roads and bridges in Union county;

31. three million dollars (\$3,000,000) to plan, design and construct improvements to the north Belen interchange in Valencia county; and

32. five hundred thousand dollars (\$500,000) to plan, design, construct, equip, purchase and install a rail spur and platform at Balloon Fiesta park in Albuquerque in Bernalillo county.

Chapter 92 Section 25 Laws 2008

Section 25. HIGHER EDUCATION DEPARTMENT PROJECTS-- SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the higher education department that the need exists for the issuance of the bonds, the following amounts are appropriated to the higher education department for the following purposes:

1. one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, equip and furnish upgrades at the central plant at New Mexico junior college in Hobbs in Lea county;

2. five hundred eighty-seven thousand dollars (\$587,000) to purchase, equip and furnish instrumentation for San Juan college health sciences simulation and teaching center in Farmington in San Juan county;

3. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, equip and furnish the outdoor learning center at San Juan college in Farmington in San Juan county; and

4. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, equip and furnish, including the demolition of existing buildings, a Luna community college satellite [~~in Las Vegas in San Miguel county~~]. *LINE-ITEM VETO*

Chapter 92 Section 26 Laws 2008

Section 26. BOARD OF REGENTS OF EASTERN NEW MEXICO UNIVERSITY PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the board of regents of eastern New Mexico university that the need exists for the issuance of the bonds, the following amounts are appropriated to the board of regents of eastern New Mexico university for the following purposes:

1. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, equip and furnish improvements to academic buildings, grounds and infrastructure at the Ruidoso branch campus of eastern New Mexico university in Ruidoso in Lincoln county; and

2. three hundred fifty thousand dollars (\$350,000) to plan, design, construct and equip a weight training facility at eastern New Mexico university in Portales in Roosevelt county.

Chapter 92 Section 27 Laws 2008

Section 27. BOARD OF REGENTS OF NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY PROJECTS--SEVERANCE TAX BONDS.-- Pursuant to the provisions of Section 1 of this act, upon certification by the board of regents of New Mexico institute of mining and technology that the need exists for the issuance of the bonds, the following amounts are appropriated to the board of regents of New Mexico institute of mining and technology for the following purposes:

1. two hundred eighty thousand dollars (\$280,000) to purchase, equip and install a DNA sequencer and related equipment at the New Mexico DNA sequencer center at the New Mexico institute of mining and technology in Santa Fe in Santa Fe county;

2. three hundred thousand dollars (\$300,000) to plan, design and construct a geological sciences center at the New Mexico institute of mining and technology in Socorro in Socorro county; and

3. three hundred thousand dollars (\$300,000) to furnish and equip the institute for complex additive systems analysis facility at the New Mexico institute of mining and technology in Socorro in Socorro county.

Chapter 92 Section 28 Laws 2008

Section 28. BOARD OF REGENTS OF NEW MEXICO STATE UNIVERSITY PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the board of regents of New Mexico state university that the need exists for the issuance of the bonds, the following amounts are appropriated to the board of regents of New Mexico state university for the following purposes:

1. two million seven hundred thousand dollars (\$2,700,000) to plan, design, construct, equip and furnish Aggie Memorial stadium at New Mexico state university in Las Cruces in Dona Ana county;

2. five hundred thousand dollars (\$500,000) to design and construct an extension of Payne street from Wells street to Sam Steele drive on the New Mexico state university campus in Las Cruces in Dona Ana county;

3. one million dollars (\$1,000,000) to plan, design, construct, equip and furnish the southwest center for rangeland sustainability, including information technology and related equipment, furniture and infrastructure, in Corona in Lincoln county for New Mexico state university;

4. two hundred thousand dollars (\$200,000) to conduct dam assessment testing, evaluation of hazard potential, inundation mapping, breach analysis, preparation and submission of emergency action plans conducive to public safety and general public welfare issues for dams [~~at New Mexico state university~~]; and *LINE-ITEM VETO*

5. four hundred thousand dollars (\$400,000) to plan, design and construct a multipurpose building for the Claunch-Pinto soil and water conservation district in Mountainair in Torrance county.

Chapter 92 Section 29 Laws 2008

Section 29. BOARD OF REGENTS OF NORTHERN NEW MEXICO STATE SCHOOL PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the board of regents of northern New Mexico state school that the need exists for the issuance of the bonds, two million dollars (\$2,000,000) is appropriated to the board of regents of northern New Mexico state school to acquire land for and plan, design, construct and equip a solar energy research park at the Espanola campus of northern New Mexico state school in Rio Arriba county.

Chapter 92 Section 30 Laws 2008

Section 30. BOARD OF REGENTS OF THE UNIVERSITY OF NEW MEXICO PROJECTS--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the board of regents of the university of New Mexico that the need exists for the issuance of the bonds, the following amounts are appropriated to the board of regents of the university of New Mexico for the following purposes:

1. five hundred fifty thousand dollars (\$550,000) to construct an athletes plaza at the university of New Mexico in Albuquerque in Bernalillo county;

2. nine hundred ten thousand five hundred dollars (\$910,500) to plan, design, construct and equip the Tamarind center for fine art lithography design, production, conservation and education at the university of New Mexico in Albuquerque in Bernalillo county;

3. two hundred twenty thousand dollars (\$220,000) to purchase biomedical engineering laboratory equipment for the college of engineering at the university of New Mexico in Albuquerque in Bernalillo county;

4. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate, furnish and equip a football practice field, including sod, grass and an irrigation system, at the university of New Mexico in Albuquerque in Bernalillo county;

5. two million dollars (\$2,000,000) to plan, design, construct, renovate, equip and furnish the football stadium at the university of New Mexico in Albuquerque in Bernalillo county;

6. two hundred twenty-five thousand dollars (\$225,000) to plan, design and construct a clubhouse for the university of New Mexico golf course in Albuquerque in Bernalillo county;

7. one million dollars (\$1,000,000) to construct, improve, renovate, equip and furnish the Pit sports arena facility at the university of New Mexico in Albuquerque in Bernalillo county;

8. four hundred thousand dollars (\$400,000) to plan, design, construct, equip and furnish the remodeling of academic buildings and grounds at the Los Alamos branch campus of the university of New Mexico in Los Alamos in Los Alamos county;

9. one million two hundred thousand dollars (\$1,200,000) to design and construct an expansion to the Harwood museum in Taos in Taos county; and

10. one million dollars (\$1,000,000) to plan, design, construct, equip and furnish the campus renewal and security improvements at the Valencia branch campus of the university of New Mexico in Valencia county.

Chapter 92 Section 31 Laws 2008

Section 31. BOARD OF REGENTS OF THE NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED PROJECT--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the board of regents of the New Mexico school for the blind and visually impaired that the need exists for the issuance of the bonds, one million six hundred thousand dollars (\$1,600,000) is

appropriated to the board of regents of the New Mexico school for the blind and visually impaired to plan, design, construct, equip and furnish improvements related to health, safety and accessibility at the New Mexico school for the blind and visually impaired in Alamogordo in Otero county.

Chapter 92 Section 32 Laws 2008

Section 32. TRIBAL INFRASTRUCTURE PROJECTS--TRIBAL INFRASTRUCTURE PROJECT FUND--SEVERANCE TAX BONDS.--Pursuant to the provisions of Section 1 of this act, upon certification by the department of finance and administration that the need exists for the issuance of the bonds, five million dollars (\$5,000,000) is appropriated to the tribal infrastructure project fund for tribal infrastructure projects related to water, wastewater, electrical systems, communications, roads, health, emergency facilities and economic development statewide to carry out the provisions of the Tribal Infrastructure Act.

Chapter 92 Section 33 Laws 2008

Section 33. AGING AND LONG-TERM SERVICES DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the aging and long-term services department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. forty thousand dollars (\$40,000) to purchase vans to serve south valley adults needing daycare in Bernalillo county;
- ~~2. twenty thousand dollars (\$20,000) to purchase and install equipment, including shelving, storage units and a quilting machine, for the Whispering Pines senior meal site in Bernalillo county;]~~ *LINE-ITEM VETO*
3. five hundred fifty thousand dollars (\$550,000) to purchase and equip vehicles for senior centers citywide in Albuquerque in Bernalillo county;
4. fifty thousand dollars (\$50,000) to plan, design and construct improvements to the North Valley senior center in Albuquerque in Bernalillo county;
5. eighty-eight thousand dollars (\$88,000) to plan, design and construct a senior center in Tijeras in Bernalillo county;
6. twenty thousand dollars (\$20,000) to purchase and equip vehicles for senior centers countywide in Catron county;
7. seventy thousand four hundred dollars (\$70,400) to purchase and equip vehicles for the Pueblo of Acoma senior center in Cibola county;

8. twenty-five thousand dollars (\$25,000) to purchase and equip vehicles for the Grants senior center in Cibola county;

9. fifty-five thousand dollars (\$55,000) to purchase and equip vehicles for the Pueblo of Laguna senior center in Cibola county;

10. ninety-five thousand dollars (\$95,000) to purchase and equip vehicles for senior centers countywide in Colfax county;

11. twenty-eight thousand five hundred forty-six dollars (\$28,546) to purchase and equip vehicles for the Clovis senior center in Curry county;

12. forty-four thousand dollars (\$44,000) to purchase and equip vehicles for the Melrose senior center in Curry county;

13. ten thousand dollars (\$10,000) to make improvements for building-code compliance, including purchase and installation of equipment, at Munson senior center in Las Cruces in Dona Ana county;

14. fifty thousand dollars (\$50,000) to purchase and equip vehicles for senior centers citywide in Las Cruces in Dona Ana county;

15. one hundred ninety-five thousand dollars (\$195,000) for improvements, including upgrades to comply with the Americans with Disabilities Act of 1990, lighting, access ramps and bathrooms, at the San Miguel senior community center in Dona Ana county;

16. seventy-five thousand dollars (\$75,000) to purchase and equip vehicles for senior centers located in Gila, Mimbres and Silver City in Grant county;

17. twenty-five thousand dollars (\$25,000) to purchase and equip vehicles for the Silver City senior center in Grant county;

18. thirty thousand dollars (\$30,000) to purchase and upgrade equipment for the Puerto de Luna senior center in Puerto de Luna in Guadalupe county;

19. thirty-five thousand dollars (\$35,000) to purchase and equip vehicles for the Eunice senior center in Lea county;

20. thirty-five thousand dollars (\$35,000) to purchase and equip vehicles for the Hobbs senior center in Lea county;

21. twenty-five thousand dollars (\$25,000) to purchase and equip vehicles for the Jal senior center in Lea county;

22. fifty thousand dollars (\$50,000) to purchase and equip vehicles for senior centers located in the Hondo Valley and in Carrizozo in Lincoln county;

23. forty thousand nine hundred one dollars (\$40,901) to purchase and equip vehicles for the Los Alamos senior center in Los Alamos county;

24. one hundred twenty-eight thousand eight hundred fifty-three dollars (\$128,853) to purchase and equip vehicles for the Deming-Luna senior center in Luna county;

25. fifty-two thousand eight hundred dollars (\$52,800) to purchase and equip vehicles for the Ramah and Thoreau senior centers in McKinley county;

26. thirty thousand dollars (\$30,000) to purchase and equip vehicles for the Gallup senior center in McKinley county;

27. four hundred thousand dollars (\$400,000) to purchase and equip vehicles for senior centers nationwide on the Navajo Nation in McKinley, San Juan, Cibola, Bernalillo and Sandoval counties;

28. twenty-eight thousand dollars (\$28,000) to purchase and equip vehicles for the Sacramento Mountain senior center in Otero county;

29. thirty thousand dollars (\$30,000) to purchase and equip vehicles for the Tularosa senior center in Otero county;

30. thirty-five thousand dollars (\$35,000) to purchase and equip vehicles for the Logan senior center in Quay county;

31. one hundred thousand dollars (\$100,000) to purchase and equip vehicles for senior centers countywide in Rio Arriba county;

32. thirty-five thousand dollars (\$35,000) to purchase and equip vehicles for the Pueblo of Santa Clara senior center in Rio Arriba county;

33. forty thousand dollars (\$40,000) to design, construct and equip improvements and an addition, including exterior improvements, to the senior center in Truchas in Rio Arriba county;

34. sixty thousand dollars (\$60,000) to purchase and equip vehicles for the Blanco-Aztec senior center in San Juan county;

35. twenty-four thousand dollars (\$24,000) to plan, design and construct a senior center in the Upper Fruitland chapter of the Navajo Nation in San Juan county;

36. fifty thousand dollars (\$50,000) to purchase and equip vehicles for senior centers countywide in San Miguel county;

37. ten thousand dollars (\$10,000) to plan, design, construct and equip the senior center in San Miguel in San Miguel county;

38. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish the Pecos senior center in San Miguel county;

39. one hundred thousand dollars (\$100,000) to purchase and equip vehicles for senior centers countywide in Sandoval county;

40. sixty thousand dollars (\$60,000) to purchase and equip vehicles for the Pueblo of Cochiti senior center in Sandoval county;

~~[41. forty thousand dollars (\$40,000) to plan, design and construct a senior center at the Counselor chapter of the Navajo Nation in Sandoval county;]~~ *LINE-ITEM VETO*

42. thirty-two thousand dollars (\$32,000) to purchase and equip vehicles for the Cuba senior center in Sandoval county;

43. fifty thousand dollars (\$50,000) to purchase and equip vehicles for the Meadowlark senior center in Rio Rancho in Sandoval county;

44. twenty-five thousand dollars (\$25,000) to purchase and equip vehicles for the Pueblo of San Felipe senior center in Sandoval county;

45. fifteen thousand dollars (\$15,000) to plan, design, construct and improve the Edgewood senior center in Santa Fe county;

46. forty-five thousand dollars (\$45,000) to purchase and equip vehicles for the Santa Fe adult daycare center in Santa Fe county;

47. one hundred sixty-nine thousand five hundred dollars (\$169,500) to purchase and equip vehicles for senior centers citywide in Santa Fe in Santa Fe county;

48. fifty thousand dollars (\$50,000) to purchase and equip vehicles for the Pueblo of Tesuque senior center in Santa Fe county;

49. fifty thousand dollars (\$50,000) to purchase and equip vehicles for the Truth or Consequences senior center in Sierra county;

50. eighty-five thousand dollars (\$85,000) to purchase and equip vehicles for senior centers countywide in Socorro county;

51. eighty thousand dollars (\$80,000) to plan, design, construct, equip and furnish the Alamo chapter senior center on the Navajo Nation in Socorro county;

52. fifty thousand dollars (\$50,000) to purchase and equip vehicles for senior centers countywide in Taos county;

53. seventy-five thousand dollars (\$75,000) to purchase and equip vehicles for senior centers located in Estancia, Moriarty and Mountainair in Torrance county;

54. thirty-five thousand dollars (\$35,000) to purchase and equip vehicles for the Des Moines senior center in Union county;

55. twenty thousand dollars (\$20,000) to purchase equipment for Meadow Lake senior center in Valencia county;

56. ninety thousand dollars (\$90,000) to plan, design, equip and construct an expansion of the kitchen and community center space at the Fred Luna senior center in Los Lunas in Valencia county; and

57. twenty-five thousand dollars (\$25,000) to repair and renovate the Meadow Lake community-senior center in Meadow Lake in Valencia county.

Chapter 92 Section 34 Laws 2008

Section 34. STATE ARMORY BOARD PROJECT--GENERAL FUND.-- Thirty-five thousand dollars (\$35,000) is appropriated from the general fund to the state armory board for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to plan, design, construct, repair, purchase and improve heating, ventilation and air conditioning systems at armories statewide.

Chapter 92 Section 35 Laws 2008

Section 35. CAPITAL PROGRAM FUND PROJECTS--GENERAL FUND.-- The following amounts are appropriated from the general fund to the capital program fund for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. twenty-four thousand dollars (\$24,000) to purchase, furnish and construct infrastructure for a family visitation center at the youth detention and diagnostic center in Albuquerque in Bernalillo county;

2. ten thousand dollars (\$10,000) to plan, design and construct a safety inspection station at the Santa Teresa port of entry in Santa Teresa in Dona Ana county; and

3. forty-five thousand dollars (\$45,000) to renovate the works progress administration theater, including the roof, walls, doors and windows, electrical system, restrooms and acoustics, at Fort Bayard in Grant county.

Chapter 92 Section 36 Laws 2008

~~[Section 36. CHILDREN, YOUTH AND FAMILIES DEPARTMENT PROJECT-- GENERAL FUND.--Four thousand dollars (\$4,000) is appropriated from the general fund to the children, youth and families department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to purchase and install information technology, including related equipment, furniture and infrastructure, for a program to promote family education and engagement for the children, youth and families department in Albuquerque in Bernalillo county.]~~ *LINE-ITEM VETO*

Chapter 92 Section 37 Laws 2008

Section 37. CULTURAL AFFAIRS DEPARTMENT PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the cultural affairs department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

~~[1. fifty thousand dollars (\$50,000) to plan, design and construct improvements to the plaza mayor at the national Hispanic cultural center in Albuquerque in Bernalillo county;~~

~~2. thirty thousand dollars (\$30,000) to design and construct the Elfege Baca memorial and museum in Reserve in Catron county;~~

~~3. twenty-five thousand dollars (\$25,000) to construct, renovate and equip the New Mexico farm and ranch heritage museum, including the antique equipment shed, rotating exhibits and a shaded area, in Dona Ana county;]~~ *LINE-ITEM VETO*

4. fifty thousand dollars (\$50,000) to plan, design, renovate, construct and equip the Tortugas hall area, including offices and bathrooms and kitchen relocation, at the New Mexico farm and ranch heritage museum in Dona Ana county;

5. ninety-five thousand dollars (\$95,000) to plan, design, renovate, construct and equip the New Mexico farm and ranch heritage museum, including information technology and related equipment, furniture and infrastructure, exhibits, a rural life center, the Tortugas kitchen, a special events arena and the main gallery, in Las Cruces in Dona Ana county;

6. fifty thousand dollars (\$50,000) to repair roofs on buildings at Lincoln state monument in Lincoln county;

7. ten thousand dollars (\$10,000) to acquire library books, equipment and library resources for the Pueblo of Isleta library in Bernalillo county;

8. forty-five thousand dollars (\$45,000) for interior and exterior improvements, including shelving, doors, security cameras, landscaping and signage, at the Carruthers building at the state library in Santa Fe county;

9. six hundred eighty thousand dollars (\$680,000) to construct an opera rehearsal hall in Santa Fe county; provided that land for the facility is donated to the state;

10. two hundred forty-three thousand dollars (\$243,000) to plan, design, construct, equip and furnish an expansion and addition to the children's museum facility in Santa Fe in Santa Fe county;

11. thirty-five thousand dollars (\$35,000) to archive works of art digitally at museums statewide; and

~~[12. five thousand dollars (\$5,000) to restore and repair state-owned art in public places statewide.]~~

Chapter 92 Section 38 Laws 2008

~~[Section 38. DISTRICT ATTORNEY OF THE SEVENTH JUDICIAL DISTRICT PROJECT--GENERAL FUND.--Seven thousand dollars (\$7,000) is appropriated from the general fund to the district attorney of the seventh judicial district for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to purchase vehicles for the seventh judicial district attorney's office in Socorro county].~~

LINE-ITEM VETO

Chapter 92 Section 39 Laws 2008

Section 39. DISTRICT ATTORNEY OF THE NINTH JUDICIAL DISTRICT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the district attorney of the ninth judicial district for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

~~[1. twenty thousand dollars (\$20,000) to purchase equipment for the ninth judicial district attorney's office in Curry and Roosevelt counties; and] *LINE-ITEM VETO*~~

2. sixty-two thousand dollars (\$62,000) to purchase and equip vehicles for the ninth judicial district attorney's office in Curry and Roosevelt counties.

Chapter 92 Section 40 Laws 2008

~~[Section 40. DISTRICT ATTORNEY OF THE THIRTEENTH JUDICIAL DISTRICT PROJECT--GENERAL FUND.--Ten thousand dollars (\$10,000) is appropriated from the general fund to the district attorney of the thirteenth judicial district for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to purchase vehicles for the thirteenth judicial district attorney's office in Cibola and Valencia counties.]LINE-ITEM VETO~~

Chapter 92 Section 41 Laws 2008

Section 41. FIRST JUDICIAL DISTRICT COURT PROJECT-- GENERAL FUND.-
-Twenty-five thousand dollars (\$25,000) is appropriated from the general fund to the first judicial district court for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to purchase and install an electronic document management system for the first judicial district court in Santa Fe in Santa Fe county.

Chapter 92 Section 42 Laws 2008

Section 42. FIFTH JUDICIAL DISTRICT COURT PROJECT-- GENERAL FUND.-
-Forty-five thousand dollars (\$45,000) is appropriated from the general fund to the fifth judicial district court for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to purchase equipment, including microfiche readers, printers, sound equipment, digital recording equipment and video arraignment mobile units, and to purchase and install information technology, including related equipment, furniture and infrastructure, for the fifth judicial district court in Lovington in Lea county.

Chapter 92 Section 43 Laws 2008

Section 43. ECONOMIC DEVELOPMENT DEPARTMENT PROJECTS--
GENERAL FUND.--The following amounts are appropriated from the general fund to the economic development department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. seven million dollars (\$7,000,000) to provide grants to political subdivisions of the state to achieve job growth by attracting new companies or expanding existing businesses pursuant to the Local Economic Development Act;
2. seven million five hundred thousand dollars (\$7,500,000) to provide assistance to a financial services economic development project in Bernalillo county pursuant to the Local Economic Development Act;
3. seven million five hundred thousand dollars (\$7,500,000) to provide assistance to a solar equipment economic development project in Bernalillo county pursuant to the Local Economic Development Act; and

4. two million dollars (\$2,000,000) to plan, design, construct and equip a facility for the Eclipse aviation maintenance center at the Double Eagle airport in Bernalillo county.

Chapter 92 Section 44 Laws 2008

Section 44. PUBLIC EDUCATION DEPARTMENT PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the public education department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. one hundred twenty-four thousand dollars (\$124,000) to design, construct and equip a facility for Media Arts Collaborative charter school in Bernalillo county;

2. ninety-five thousand dollars (\$95,000) to purchase, construct and install a portable classroom for Christine Duncan Community charter school in the Albuquerque public school district in Bernalillo county;

3. thirty-five thousand dollars (\$35,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for

Twenty-First Century Public Academy charter school in the Albuquerque public school district in Bernalillo county;

4. seventy-two thousand dollars (\$72,000) to purchase, install and equip a portable multiuse facility for Twenty-First Century Public Academy charter school in the Albuquerque public school district in Bernalillo county;

5. sixty thousand dollars (\$60,000) to plan, design, construct and renovate an addition to administration at A. Montoya elementary school in the Albuquerque public school district in Bernalillo county;

6. twenty thousand dollars (\$20,000) to plan, design and construct improvements, including drainage and a shade structure, at A. Montoya elementary school in the Albuquerque public school district in Bernalillo county;

7. twenty thousand dollars (\$20,000) to plan, design, construct and improve restrooms at Acoma elementary school in the Albuquerque public school district in Bernalillo county;

8. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for Adobe Acres elementary school in the Albuquerque public school district in Bernalillo county;

~~[9. ten thousand dollars (\$10,000) to plan, design and construct a grass field, including drainage, and an amphitheater at Alameda elementary school in the Albuquerque public school district in Bernalillo county;]LINE-ITEM VETO~~

10. thirty-five thousand dollars (\$35,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Alameda elementary school in the Albuquerque public school district in Bernalillo county;

11. twenty thousand dollars (\$20,000) to plan, design and construct landscape and drainage improvements, including fields and tracks, at Alameda elementary school in the Albuquerque public school district in Bernalillo county;

~~[12. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Alamosa elementary school in the Albuquerque public school district in Bernalillo county;] LINE-ITEM VETO~~

13. forty-five thousand dollars (\$45,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Albuquerque high school in the Albuquerque public school district in Bernalillo county;

14. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for the math and social studies programs at Albuquerque high school in the Albuquerque public school district in Bernalillo county;

~~[15. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment for Albuquerque high school in the Albuquerque public school district in Bernalillo county;]LINE-ITEM VETO~~

16. ten thousand dollars (\$10,000) to purchase and install network printers and information technology, including related equipment, furniture and infrastructure, in the Albuquerque public school district in Bernalillo county;

17. ten thousand dollars (\$10,000) to purchase and install laptops, multimedia projectors and information technology, including related equipment, furniture and infrastructure, for Albuquerque public schools in Bernalillo county;

18. one hundred forty-one thousand dollars (\$141,000) to equip the shooting sports club teams at high schools in the Albuquerque public school district in Bernalillo county;

19. thirty-five thousand dollars (\$35,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Albuquerque high school in the Albuquerque public school district in Bernalillo county;

20. seventy-five thousand dollars (\$75,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Alvarado elementary school in the Albuquerque public school district in Bernalillo county;

21. thirty thousand dollars (\$30,000) to purchase printers and laptops for Alvarado elementary school in the Albuquerque public school district in Bernalillo county;

22. forty-five thousand dollars (\$45,000) to plan, design, purchase and install energy-efficiency improvements to Amy Biehl charter high school in the Albuquerque public school district in Bernalillo county;

23. eighty thousand dollars (\$80,000) to plan, design and construct a patriotism monument at Amy Biehl charter high school in the Albuquerque public school district in Bernalillo county;

24. seventy thousand dollars (\$70,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Apache elementary school in the Albuquerque public school district in Bernalillo county;

25. twenty thousand dollars (\$20,000) to plan, design, construct and renovate a kindergarten playground and addition at Apache elementary school in the Albuquerque public school district in Bernalillo county;

~~[26. forty thousand dollars (\$40,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Armijo elementary school in the Albuquerque public school district in Bernalillo county;]~~ *LINE-ITEM VETO*

27. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Arroyo del Oso elementary school in the Albuquerque public school district in Bernalillo county;

28. one hundred forty-three thousand dollars (\$143,000) for repair and improvements to exterior surfaces, including stucco, at Arroyo del Oso elementary school in the Albuquerque public school district in Bernalillo county;

29. eighty thousand dollars (\$80,000) to purchase and install security cameras and monitoring equipment at Arroyo del Oso elementary school in the Albuquerque public school district in Bernalillo county;

~~[30. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Atrisco elementary school in the Albuquerque public school district in Bernalillo county;]~~ *LINE-ITEM VETO*

31. thirty-five thousand dollars (\$35,000) to plan, design, construct and improve a drainage system at Bandelier elementary school in the Albuquerque public school district in Bernalillo county;

32. ten thousand dollars (\$10,000) to plan, design, construct, improve and equip a library for Bandelier elementary school in the Albuquerque public school district in Bernalillo county;

33. forty-five thousand dollars (\$45,000) to plan and design the renovation of the library and media center at Bandelier elementary school in the Albuquerque public school district in Bernalillo county;

34. fifty thousand dollars (\$50,000) to plan, design, construct and equip a facility for a sustainable food supply system at Bandelier elementary school in the Albuquerque public school district in Bernalillo county;

35. twenty thousand dollars (\$20,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Barcelona elementary school in the Albuquerque public school district in Bernalillo county;

36. nineteen thousand dollars (\$19,000) to purchase and install furniture and equipment for a language laboratory and for the physical education program at Bataan charter school in the Albuquerque public school district in Bernalillo county;

37. fifty-eight thousand dollars (\$58,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Bataan charter school in the Albuquerque public school district in Bernalillo county;

38. forty thousand dollars (\$40,000) to purchase and install furniture, physical training equipment and library shelves and books for Bataan charter school in the Albuquerque public school district in Bernalillo county;

39. ninety-five thousand dollars (\$95,000) to make improvements to the bathrooms and purchase portable communication devices for Bel-Air elementary school in the Albuquerque public school district in Bernalillo county;

40. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Bel-Air elementary school in the Albuquerque public school district in Bernalillo county;

41. fifty thousand dollars (\$50,000) for books and information technology, including related equipment, furniture and infrastructure, for the library at Bel-Air elementary school in the Albuquerque public school district in Bernalillo county;

42. twenty thousand dollars (\$20,000) to plan, design, construct, renovate, equip and furnish a media center addition and purchase books for the library at Bel-Air elementary school in the Albuquerque public school district in Bernalillo county;

43. twenty thousand dollars (\$20,000) to purchase and install videoconferencing equipment at Bel-Air elementary school in the Albuquerque public school district in Bernalillo county;

44. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, equip and furnish a drop-off lane, parking lot, playground, shade structures, landscaping and site improvements at Bellehaven elementary school in the Albuquerque public school district in Bernalillo county;

~~[45. eight thousand five hundred dollars (\$8,500) to purchase videoconferencing technology and to purchase and install information technology, including related equipment, furniture and infrastructure, for Bellehaven elementary school in the Albuquerque public school district in Bernalillo county;] *LINE-ITEM VETO*~~

46. fourteen thousand dollars (\$14,000) to purchase educational technology for the animation and film laboratories at the career enrichment center in the Albuquerque public school district in Bernalillo county;

~~[47. twenty thousand dollars (\$20,000) to purchase educational equipment for the career enrichment center in the Albuquerque public school district in Bernalillo county;] *LINE-ITEM VETO*~~

48. twenty-five thousand dollars (\$25,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Carlos Rey elementary school in the Albuquerque public school district in Bernalillo county;

49. sixty thousand dollars (\$60,000) to purchase and install information technology, including related equipment, furniture and infrastructure and cable television system upgrade, at Chamiza elementary school in the Albuquerque public school district in Bernalillo county;

50. fifty thousand dollars (\$50,000) to plan, design, equip and construct improvements, including bus and parent drop-off lanes, parking, paving, storm drainage, landscaping and site improvements, for Chaparral elementary school in the Albuquerque public school district in Bernalillo county;

51. twenty thousand dollars (\$20,000) to plan, design, construct, equip, furnish and improve a kindergarten classroom at Chelwood elementary school in the Albuquerque public school district in Bernalillo county;

52. ninety thousand dollars (\$90,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Cibola high school in the Albuquerque public school district in Bernalillo county;

53. ten thousand dollars (\$10,000) to plan, design, construct and renovate practice space for student activities at Cibola high school in the Albuquerque public school district in Bernalillo county;

54. thirty-five thousand dollars (\$35,000) to plan, design, purchase and construct safety lighting at Cibola high school in the Albuquerque public school district in Bernalillo county;

55. ten thousand dollars (\$10,000) to purchase and install turf for the Cibola high school soccer field in the Albuquerque public school district in Bernalillo county;

56. ten thousand dollars (\$10,000) to plan, design and renovate student bathrooms at Cibola high school in the Albuquerque public school district in Bernalillo county;

~~57. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Cibola high school in the Albuquerque public school district in Bernalillo county;~~ *LINE-ITEM VETO*

58. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Cleveland middle school in the Albuquerque public school district in Bernalillo county;

59. sixty-five thousand dollars (\$65,000) to plan, design and construct renovations, including security cameras and monitoring equipment, at Cleveland middle school in the Albuquerque public school district in Bernalillo county;

60. fifty-five thousand dollars (\$55,000) to purchase and install information technology, including projectors, related equipment, furniture and infrastructure, at Cochiti elementary school in the Albuquerque public school district in Bernalillo county;

~~61. thirty-five thousand dollars (\$35,000) to plan, design, construct and improve the administration entry, including paving, at Collet Park elementary school in the Albuquerque public school district in Bernalillo county;~~ *LINE-ITEM VETO*

62. twenty thousand dollars (\$20,000) to plan, design, construct and improve the heating, ventilation and air conditioning system at Collet Park elementary school in the Albuquerque public school district in Bernalillo county;

63. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Comanche elementary school in the Albuquerque public school district in Bernalillo county;

64. sixty-three thousand dollars (\$63,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Comanche elementary school in the Albuquerque public school district in Bernalillo county;

65. fifty thousand dollars (\$50,000) to plan, design, construct and equip improvements and expansion of the parent parking lot at Comanche elementary school in the Albuquerque public school district in Bernalillo county;

~~[66. eight thousand five hundred dollars (\$8,500) to purchase and install a videoconferencing system at Corrales elementary school in the Albuquerque public school district in Sandoval county;]~~ *LINE-ITEM VETO*

67. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Del Norte high school in the Albuquerque public school district in Bernalillo county;

68. seventy-five thousand dollars (\$75,000) to replace and upgrade information technology, including related equipment, furniture and infrastructure, for Del Norte high school in the Albuquerque public school district in Bernalillo county;

69. eighty-one thousand five hundred dollars (\$81,500) to upgrade and expand the school security camera system at Del Norte high school in the Albuquerque public school district in Bernalillo county;

~~[70. eight thousand five hundred dollars (\$8,500) to purchase and install a videoconferencing system at Del Norte high school in the Albuquerque public school district in Bernalillo county;~~

~~71. eight thousand five hundred dollars (\$8,500) to purchase videoconferencing equipment for Delores Gonzales elementary school in the Albuquerque public school district in Bernalillo county;]~~ *LINE-ITEM VETO*

72. ten thousand dollars (\$10,000) to plan, design, construct, purchase and install a kindergarten addition and a security system at Dennis Chavez elementary school in the Albuquerque public school district in Bernalillo county;

73. thirteen thousand five hundred dollars (\$13,500) to purchase videoconferencing technology and to purchase and install information technology, including related equipment, furniture and infrastructure, for Dennis Chavez elementary school in the Albuquerque public school district in Bernalillo county;

74. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Desert Ridge middle school in the Albuquerque public school district in Bernalillo county;

75. one hundred forty-five thousand dollars (\$145,000) to purchase and install security cameras and monitoring systems at Desert Ridge middle school in the Albuquerque public school district in Bernalillo county;

76. twenty-three thousand dollars (\$23,000) to plan and design a facility for Digital Arts and Technology Academy charter school in the Albuquerque public school district in Bernalillo county;

77. one hundred thousand dollars (\$100,000) to purchase and install information technology, including related furniture, equipment and infrastructure, for Digital Arts and Technology Academy charter school in the Albuquerque public school district in Bernalillo county;

78. ten thousand dollars (\$10,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Dolores Gonzales elementary school in the Albuquerque public school district in Bernalillo county;

79. sixty-five thousand dollars (\$65,000) to plan, design and construct library repairs and renovation at Dolores Gonzales elementary school in the Albuquerque public school district in Bernalillo county;

80. eight thousand five hundred dollars (\$8,500) to purchase and install information technology, including related equipment, furniture and infrastructure, at Double Eagle elementary school in the Albuquerque public school district in Bernalillo county;

81. twenty thousand dollars (\$20,000) to plan, design, construct, equip, furnish and improve the playground at Double Eagle elementary school in the Albuquerque public school district in Bernalillo county;

82. sixty thousand dollars (\$60,000) to plan, design, construct, renovate and install a security system at Double Eagle elementary school in the Albuquerque public school district in Bernalillo county;

83. sixty thousand dollars (\$60,000) to purchase and install notebook computers and information technology, including related equipment, furniture and infrastructure, at Douglas MacArthur elementary school in the Albuquerque public school district in Bernalillo county;

84. fifty thousand dollars (\$50,000) for library furniture, shelving and books at Duranes elementary school in the Albuquerque public school district in Bernalillo county;

85. forty thousand dollars (\$40,000) to purchase and install window blinds at Duranes elementary school in the Albuquerque public school district in Bernalillo county;

86. fifteen thousand dollars (\$15,000) to purchase, install, construct, renovate, equip and furnish improvements, including exterior improvements, at East Mountain charter high school in the Albuquerque public school district in Bernalillo county;

87. forty thousand dollars (\$40,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at East Mountain charter high school in the Albuquerque public school district in Bernalillo county;

88. forty thousand dollars (\$40,000) to plan, design, construct, purchase and improve safety equipment, ventilation and related infrastructure, at East Mountain charter high school in the Albuquerque public school district in Bernalillo county;

89. thirty-five thousand dollars (\$35,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for East San Jose elementary school in the Albuquerque public school district in Bernalillo county;

~~[90. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment for East San Jose elementary school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

91. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Edmund G. Ross elementary school in the Albuquerque public school district in Bernalillo county;

~~[92. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Edmund G. Ross elementary school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

93. one hundred ten thousand dollars (\$110,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for Edward Gonzales elementary school in the Albuquerque public school district in Bernalillo county;

~~94. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Edward Gonzales elementary school in the Albuquerque public school district in Bernalillo county;~~

~~95. twenty-five thousand dollars (\$25,000) to purchase equipment, including cameras and projectors, for Eisenhower middle school in the Albuquerque public school district in Bernalillo county;~~

~~96. twenty thousand dollars (\$20,000) to purchase and install furniture at Eisenhower middle school in the Albuquerque public school district in Bernalillo county;~~

~~97. twenty-five thousand dollars (\$25,000) to plan, design and construct renovations to the gymnasium facility at Eisenhower middle school in the Albuquerque public school district in Bernalillo county;]LINE-ITEM VETO~~

98. sixteen thousand dollars (\$16,000) for heating, ventilation and air conditioning system upgrades at Eisenhower middle school in the Albuquerque public school district in Bernalillo county;

99. thirteen thousand seven hundred dollars (\$13,700) to purchase, install and equip information technology and physical education equipment, including related equipment, furniture and infrastructure, at El Camino Real charter school in the Albuquerque public school district in Bernalillo county;

100. thirty thousand dollars (\$30,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Eldorado high school in the Albuquerque public school district in Bernalillo county;

~~[101. one hundred fifty thousand dollars (\$150,000) to renovate the math building and computer laboratory and purchase and install an audio-visual projection system and information technology, including related equipment, furniture and infrastructure, at Eldorado high school in the Albuquerque public school district in Bernalillo county;]LINE-ITEM VETO~~

102. thirty thousand dollars (\$30,000) to plan, design and construct improvements to the access, parking area and grounds at Emerson elementary school in the Albuquerque public school district in Bernalillo county;

103. ten thousand dollars (\$10,000) to purchase library books for Emerson elementary school in the Albuquerque public school district in Bernalillo county;

104. thirty thousand dollars (\$30,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Eubank elementary school in the Albuquerque public school district in Bernalillo county;

105. thirty thousand dollars (\$30,000) to purchase books and purchase and install information technology, including related equipment, furniture and infrastructure, for the library at Eubank elementary school in the Albuquerque public school district in Bernalillo county;

106. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for Eugene Field elementary school in the Albuquerque public school district in Bernalillo county;

107. fifty thousand dollars (\$50,000) to purchase and install information technology, including projectors, viewers, printers, related equipment, furniture and infrastructure, at Garfield middle school in the Albuquerque public school district in Bernalillo county;

108. fifteen thousand dollars (\$15,000) to purchase and install laptops and information technology, including related equipment, furniture and infrastructure, at Garfield middle school in the Albuquerque public school district in Bernalillo county;

109. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Governor Bent elementary school in the Albuquerque public school district in Bernalillo county;

~~[110. twenty five thousand dollars (\$25,000) to purchase furniture for the school and library and to purchase and install information technology, including related equipment, furniture and infrastructure, in the library at Governor Bent elementary school in the Albuquerque public school district in Bernalillo county;]~~ *LINE-ITEM VETO*

111. one hundred thousand dollars (\$100,000) to purchase and install mobile mini buildings and information technology, including related equipment, furniture and infrastructure, at the Grant middle school health clinic in the Albuquerque public school district in Bernalillo county;

112. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Grant middle school in the Albuquerque public school district in Bernalillo county;

113. seventy thousand dollars (\$70,000) to purchase and install playground equipment at Griegos elementary school in the Albuquerque public school district in Bernalillo county;

114. twenty-five thousand dollars (\$25,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Harrison middle school in the Albuquerque public school district in Bernalillo county;

~~[115. ten thousand dollars (\$10,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Harrison middle school in the Albuquerque public school district in Bernalillo county;]~~ *LINE-ITEM VETO*

116. forty-five thousand dollars (\$45,000) to plan, design and construct improvements, including stabilization, drainage and landscaping, to the early childhood play area and adjacent areas at Hawthorne elementary school in the Albuquerque public school district in Bernalillo county;

117. ten thousand dollars (\$10,000) to design, construct, improve and equip, including a serving line entrance door for the cafeteria, at Highland high school in the Albuquerque public school district in Bernalillo county;

118. nine thousand dollars (\$9,000) to improve and equip, including signage and a scoreboard, the gymnasiums at Highland high school in the Albuquerque public school district in Bernalillo county;

119. sixty-five thousand dollars (\$65,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for Highland high school in the Albuquerque public school district in Bernalillo county;

120. ten thousand dollars (\$10,000) to purchase books for the library at Highland high school in the Albuquerque public school district in Bernalillo county;

121. twenty-five thousand dollars (\$25,000) to purchase and install books, equipment, ceiling tiles and furniture and information technology, including related equipment, furniture and infrastructure, for the library at Highland high school in the Albuquerque public school district in Bernalillo county;

122. thirty thousand dollars (\$30,000) to purchase and install improvements, including ceiling tiles, in the library at Highland high school in the Albuquerque public school district in Bernalillo county;

123. ten thousand dollars (\$10,000) to design, renovate and equip the production classroom, teacher lounge and student activities center at Highland high school in the Albuquerque public school district in Bernalillo county;

124. fifteen thousand dollars (\$15,000) to plan, design and construct improvements to traffic flow, including signage, at Highland high school in the Albuquerque public school district in Bernalillo county;

125. one hundred twenty thousand dollars (\$120,000) to plan, design, construct, purchase, install and equip a classroom or portable building for vocational education instruction, including educational materials, for Highland high school in the Albuquerque public school district in Bernalillo county;

126. ten thousand dollars (\$10,000) to replace windows at Highland high school in the Albuquerque public school district in Bernalillo county;

127. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Hodgkin elementary school in the Albuquerque public school district in Bernalillo county;

128. forty-five thousand dollars (\$45,000) to equip the media center and library, including shelving and furniture, at Hodgkin elementary school in the Albuquerque public school district in Bernalillo county;

129. forty thousand dollars (\$40,000) to plan, design, construct, purchase and improve, including lighting, the media center-library at Hodgkin elementary school in the Albuquerque public school district in Bernalillo county;

130. twenty thousand dollars (\$20,000) to plan, design, construct, purchase and install playground equipment and fall protection at the kindergarten play area at Hodgkin elementary school in the Albuquerque public school district in Bernalillo county;

131. fifteen thousand dollars (\$15,000) to plan, design, construct, renovate and repair, including water pipes, carpet and wall paint, Hodgkin elementary school in the Albuquerque public school district in Bernalillo county;

132. eight thousand five hundred dollars (\$8,500) to purchase and install information technology, including related equipment, furniture, infrastructure and videoconference technology, at Hoover middle school in the Albuquerque public school district in Bernalillo county;

133. eight thousand five hundred dollars (\$8,500) to purchase and install information technology, including related equipment, furniture and infrastructure and videoconference technology, at Hubert H. Humphrey elementary school in the Albuquerque public school district in Bernalillo county;

134. twenty-five thousand dollars (\$25,000) to purchase chairs for teachers at Hubert H. Humphrey elementary school in the Albuquerque public school district in Bernalillo county;

135. eighty thousand dollars (\$80,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Inez elementary school in the Albuquerque public school district in Bernalillo county;

136. twenty-five thousand dollars (\$25,000) to purchase and install a security- surveillance system at Jackson middle school in the Albuquerque public school district in Bernalillo county;

137. fifty thousand dollars (\$50,000) to purchase and install an audiovisual laboratory, interactive whiteboard and information technology, including related equipment, furniture and infrastructure, at James Monroe middle school in the Albuquerque public school district in Bernalillo county;

~~[138. eight thousand five hundred dollars (\$8,500) to purchase and install a videoconferencing system at James Monroe middle school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

139. thirty-five thousand dollars (\$35,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Jefferson middle school in the Albuquerque public school district in Bernalillo county;

140. twenty-five thousand dollars (\$25,000) to plan, design, renovate and construct additions and renovations to storage and to the music, art and home economics rooms at Jefferson middle school in the Albuquerque public school district in Albuquerque in Bernalillo county;

141. forty-five thousand dollars (\$45,000) to plan, design, construct, purchase and install improvements, including east side area improvements, media center upgrade and building additions, at Jefferson middle school in the Albuquerque public school district in Bernalillo county;

142. thirty-five thousand dollars (\$35,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Jimmy Carter middle school in the Albuquerque public school district in Bernalillo county;

~~[143. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Jimmy Carter middle school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

144. fifteen thousand dollars (\$15,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for the library media center at John Adams middle school in the Albuquerque public school district in Bernalillo county;

145. thirty thousand dollars (\$30,000) to plan, design, construct and purchase upgrades, including locker rooms, storage and restrooms, for Kennedy middle school in the Albuquerque public school district in Bernalillo county;

146. eighty thousand dollars (\$80,000) to plan, design and construct a parking lot at Kennedy middle school in the Albuquerque public school district in Bernalillo county;

147. five thousand dollars (\$5,000) to purchase books for Kirtland elementary school in the Albuquerque public school district in Bernalillo county;

148. thirty-five thousand dollars (\$35,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Kirtland elementary school in the Albuquerque public school district in Bernalillo county;

149. fifteen thousand dollars (\$15,000) to purchase library books for Kirtland elementary school in the Albuquerque public school district in Bernalillo county;

150. ten thousand dollars (\$10,000) to design, construct, install and equip a track, including landscaping, at Kirtland elementary school in the Albuquerque public school district in Bernalillo county;

~~[151. five thousand dollars (\$5,000) to plan and design xeriscape development and landscape work at Kirtland elementary school in the Albuquerque public school district in Bernalillo county;]LINE-ITEM VETO~~

152. twenty thousand dollars (\$20,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Kit Carson elementary and middle school academy in the Albuquerque public school district in Bernalillo county;

153. fifty-one thousand eight hundred dollars (\$51,800) to purchase and install projection equipment and information technology, including related equipment, furniture and infrastructure, at Kit Carson elementary and middle school academy in the Albuquerque public school district in Bernalillo county;

154. seventy thousand dollars (\$70,000) to purchase and install artificial turf at the multipurpose field of La Cueva high school in the Albuquerque public school district in Bernalillo county;

~~[155. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing technology at La Cueva high school in the Albuquerque public school district in Bernalillo county;]LINE-ITEM VETO~~

156. twenty-five thousand dollars (\$25,000) to purchase and install weight room equipment at La Cueva high school in the Albuquerque public school district in Bernalillo county;

157. ten thousand dollars (\$10,000) to purchase wrestling mats for La Cueva high school in the Albuquerque public school district in Bernalillo county;

~~[158. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at La~~

~~Luz del Monte charter school learning center in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

159. twenty thousand dollars (\$20,000) to purchase and install interactive whiteboards, digital cameras, scanners and information technology, including related equipment, furniture and infrastructure, at La Luz elementary school in the Albuquerque public school district in Bernalillo county;

160. fifty thousand dollars (\$50,000) to design and construct an outdoor classroom at La Luz elementary school in the Albuquerque public school district in Bernalillo county;

161. one hundred thousand dollars (\$100,000) to purchase and install books and improvements at the library at La Mesa elementary school in the Albuquerque public school district in Bernalillo county;

162. one hundred eighty thousand dollars (\$180,000) to plan, design, construct and equip a head start classroom at La Promesa early learning center charter school in the Albuquerque public school district in Bernalillo county;

163. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Lavaland elementary school in the Albuquerque public school district in Bernalillo county;

~~[164. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Lavaland elementary school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

165. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements to the play field, track and basketball courts at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;

166. twenty-five thousand dollars (\$25,000) to plan, design and construct a gymnasium lobby and public restroom at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;

167. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;

168. ten thousand dollars (\$10,000) to purchase and install information technology, including related equipment, furniture, infrastructure and network upgrades, at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;

169. five thousand dollars (\$5,000) to purchase books for the library at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;

170. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements, including infrastructure improvements, for the library at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;

171. five thousand dollars (\$5,000) to purchase and install physical education equipment at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;

~~[172. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

173. thirty thousand dollars (\$30,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Lew Wallace elementary school in the Albuquerque public school district in Bernalillo county;

174. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Longfellow elementary school in the Albuquerque public school district in Bernalillo county;

175. fifteen thousand dollars (\$15,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Longfellow elementary school in the Albuquerque public school district in Bernalillo county;

~~[176. sixty-five thousand dollars (\$65,000) to plan, design, construct, purchase and install stage equipment at Longfellow elementary school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

177. twenty-five thousand dollars (\$25,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Los Padillas elementary school in the Albuquerque public school district in Bernalillo county;

178. thirty-five thousand dollars (\$35,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at the nature center at Los Padillas elementary school in the Albuquerque public school district in Bernalillo county;

179. ten thousand dollars (\$10,000) to purchase and install smart boards and information technology, including related equipment, furniture and infrastructure, at Los Puentes charter school in the Albuquerque public school district in Bernalillo county;

180. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Los Ranchos elementary school in the Albuquerque public school district in Bernalillo county;

181. fifteen thousand dollars (\$15,000) to purchase and install a videoconferencing system for Los Ranchos elementary school in the Albuquerque public school district in Bernalillo county;

182. five thousand dollars (\$5,000) to purchase and install videoconferencing equipment at Lowell elementary school in the Albuquerque public school district in Bernalillo county;

183. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Madison middle school in the Albuquerque public school district in Bernalillo county;

184. twenty thousand dollars (\$20,000) to plan, design, construct and renovate gymnasiums and locker rooms, including Americans with Disabilities Act of 1990 compliance, at Madison middle school in the Albuquerque public school district in Bernalillo county;

~~185. eight thousand five hundred dollars (\$8,500) to purchase and install information technology, including related equipment, furniture, infrastructure and videoconference technology, at Madison middle school in the Albuquerque public school district in Bernalillo county;]~~LINE-ITEM VETO

186. thirty thousand dollars (\$30,000) to purchase and install telephone system upgrades and information technology, including related equipment, furniture and infrastructure, at Madison middle school in the Albuquerque public school district in Bernalillo county;

187. seventy-five thousand dollars (\$75,000) for capital improvements to buildings and grounds and to purchase and install information technology, including related equipment, furniture and infrastructure, at the Manzano cluster elementary schools in the Albuquerque public school district in Bernalillo county;

~~188. twenty-five thousand dollars (\$25,000) for capital improvements to buildings and grounds and to purchase and install information technology, including related equipment, furniture and infrastructure, at the Manzano cluster middle schools in the Albuquerque public school district in Bernalillo county;]~~LINE-ITEM VETO

189. fourteen thousand dollars (\$14,000) to purchase industry-standard filmmaking equipment for Manzano high school in the Albuquerque public school district in Bernalillo county;

190. ninety thousand dollars (\$90,000) to design, construct, renovate, equip and furnish improvements to the football fields, including landscaping, at Manzano high school in the Albuquerque public school district in Bernalillo county;

191. seventy thousand dollars (\$70,000) to purchase and install information technology, including related furniture, equipment and infrastructure, at Manzano high school in the Albuquerque public school district in Bernalillo county;

192. eighty thousand dollars (\$80,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Marie M. Hughes elementary school in the Albuquerque public school district in Bernalillo county;

~~193. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Marie M. Hughes elementary school in the Albuquerque public school district in Bernalillo county;~~ *LINE-ITEM VETO*

194. ten thousand dollars (\$10,000) to plan, design and construct improvements, including irrigation and a shade structure and landscaping to the interior courtyard and grounds, at Mark Twain elementary school in the Albuquerque public school district in Bernalillo county;

195. ten thousand dollars (\$10,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for use by severely disabled students at Mark Twain elementary school in the Albuquerque public school district in Bernalillo county;

196. twenty-five thousand dollars (\$25,000) to plan, design and renovate the irrigation system, including site improvements, at Mark Twain elementary school in the Albuquerque public school district in Bernalillo county;

197. one hundred fifteen thousand dollars (\$115,000) to purchase library books and equipment for Mark Twain elementary school in the Albuquerque public school district in Bernalillo county;

198. fifteen thousand dollars (\$15,000) to plan, design, construct, improve and equip the physical education program, including fields and infrastructure, at Mark Twain elementary school in the Albuquerque public school district in Bernalillo county;

199. twenty-five thousand dollars (\$25,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Mary Ann Binford elementary school in the Albuquerque public school district in Bernalillo county;

200. twenty-five thousand dollars (\$25,000) to plan, design, construct and improve, including drainage, the grass field at Matheson Park elementary school in the Albuquerque public school district in Bernalillo county;

201. eight thousand five hundred dollars (\$8,500) to plan, design and install information technology, including related equipment, furniture and infrastructure, at Matheson Park elementary school in the Albuquerque public school district in Bernalillo county;

202. sixty thousand dollars (\$60,000) to purchase scientific, research-based, core comprehensive intervention and supplementary books for reading programs at McCollum elementary school in the Albuquerque public school district in Bernalillo county;

203. sixty-eight thousand dollars (\$68,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at McKinley middle school in the Albuquerque public school district in Bernalillo county;

204. forty-nine thousand dollars (\$49,000) to equip and furnish the library at McKinley middle school in the Albuquerque public school district in Bernalillo county;

205. twenty thousand dollars (\$20,000) to purchase and install security cameras and information technology, including related equipment, furniture and infrastructure, at Mission Avenue elementary school in the Albuquerque public school district in Bernalillo county;

206. twenty-five thousand dollars (\$25,000) to design and construct a preschool and kindergarten playground at Mission Avenue elementary school in the Albuquerque public school district in Bernalillo county;

207. twenty-five thousand dollars (\$25,000) to purchase library equipment and books, including digital media, for Mitchell elementary school in the Albuquerque public school district in Bernalillo county;

~~[208. five thousand dollars (\$5,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Monte Vista elementary school in the Albuquerque public school district in Bernalillo county;]~~ *LINE-ITEM VETO*

209. fifteen thousand dollars (\$15,000) to purchase library books for Monte Vista elementary school in the Albuquerque public school district in Bernalillo county;

210. ten thousand dollars (\$10,000) to purchase materials and make improvements to displays in the library at Monte Vista elementary school in the Albuquerque public school district in Bernalillo county;

211. fifteen thousand dollars (\$15,000) to plan, design, upgrade and construct, including physical education equipment, the play area, playground and field at Monte Vista elementary school in the Albuquerque public school district in Bernalillo county;

~~[212. twenty-five thousand dollars (\$25,000) to plan and construct a xeriscaped area, including a wall, backfill, a fence, paving and a gate, at Monte Vista elementary school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

213. fifteen thousand dollars (\$15,000) to upgrade communication equipment, including the intercom console, at Montezuma elementary school in the Albuquerque public school district in Bernalillo county;

214. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Montezuma elementary school in the Albuquerque public school district in Bernalillo county;

215. twenty-five thousand dollars (\$25,000) to plan, design, furnish and construct, including shade structures, a reading garden at Montezuma elementary school in the Albuquerque public school district in Bernalillo county;

~~[216. five thousand dollars (\$5,000) to plan and construct a xeriscaped area at Montezuma elementary school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

217. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Mountain Mahogany community charter school in the Albuquerque public school district in Bernalillo county;

218. forty thousand dollars (\$40,000) to purchase and install library equipment, furniture, books and information technology, including related equipment, furniture and infrastructure, at Mountain Mahogany community charter school in the Albuquerque public school district in Bernalillo county;

219. twenty-five thousand dollars (\$25,000) to purchase, install and equip portable buildings, including furniture, equipment and related infrastructure, at Mountain Mahogany community charter school in the Albuquerque public school district in Bernalillo county;

220. one hundred thousand dollars (\$100,000) to plan, design, construct and improve infrastructure at the field at Navajo elementary school in the Albuquerque public school district in Bernalillo county;

221. twenty thousand dollars (\$20,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Navajo elementary school in the Albuquerque public school district in Bernalillo county;

222. twenty thousand dollars (\$20,000) to plan, design, construct, purchase and equip a facility at North Albuquerque Cooperative Community charter school in the Albuquerque public school district in Bernalillo county;

223. five thousand dollars (\$5,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at North Albuquerque Cooperative Community charter school in the Albuquerque public school district in Bernalillo county;

224. one hundred thousand dollars (\$100,000) to plan, design, renovate, construct, equip and furnish the grass field and make improvements to the site and the track at North Star elementary school in the Albuquerque public school district in Bernalillo county;

225. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Osuna elementary school in the Albuquerque public school district in Bernalillo county;

226. one hundred forty-five thousand dollars (\$145,000) to plan, design, construct, equip and furnish additional classrooms, including bathrooms, at Osuna elementary school in the Albuquerque public school district in Bernalillo county;

~~227. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Osuna elementary school in the Albuquerque public school district in Bernalillo county;~~ *LINE-ITEM VETO*

228. fifteen thousand dollars (\$15,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Painted Sky elementary school in the Albuquerque public school district in Bernalillo county;

~~229. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Painted Sky elementary school in the Albuquerque public school district in Bernalillo county;~~

~~230. fifty thousand dollars (\$50,000) to purchase classroom furniture at Pajarito elementary school in the Albuquerque public school district in Bernalillo county;~~ *LINE-ITEM VETO*

231. fifteen thousand dollars (\$15,000) to purchase and install library books and information technology, including related equipment, furniture and

infrastructure, at Pajarito elementary school in the Albuquerque public school district in Bernalillo county;

232. seventy-five thousand dollars (\$75,000) to plan, design, construct, purchase and equip a facility for Public Academy for Performing Arts charter school in the Albuquerque public school district in Bernalillo county;

233. fifty thousand dollars (\$50,000) to plan, design and construct landscaping, a handicap-access sidewalk and a field area, including artificial turf, a track and a retaining wall, at Petroglyph elementary school in the Albuquerque public school district in Bernalillo county;

234. sixty thousand dollars (\$60,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Petroglyph elementary school in the Albuquerque public school district in Bernalillo county;

235. twenty-five thousand dollars (\$25,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Polk middle school in the Albuquerque public school district in Bernalillo county;

236. thirty-five thousand dollars (\$35,000) to plan, design, purchase, install and construct improvements, including courtyard and physical education equipment, at Reginald Chavez elementary school in the Albuquerque public school district in Bernalillo county;

~~[237. fifty thousand dollars (\$50,000) to purchase, equip and install furniture, including library furniture and shelving, at Reginald Chavez elementary school in the Albuquerque public school district in Bernalillo county;]~~ *LINE-ITEM VETO*

238. fifty thousand dollars (\$50,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Rio Grande high school in the Albuquerque public school district in Bernalillo county;

239. one hundred twenty-two thousand five hundred dollars (\$122,500) to renovate, equip and furnish the library, including purchase of books and audiovisual equipment, at Rio Grande high school in the Albuquerque public school district in Bernalillo county;

240. thirty thousand dollars (\$30,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Robert F. Kennedy charter school in the Albuquerque public school district in Bernalillo county;

241. fifteen thousand dollars (\$15,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Roosevelt middle school in the Albuquerque public school district in Bernalillo county;

242. one hundred ninety thousand dollars (\$190,000) to plan, design and construct a multipurpose track at Roosevelt middle school in the Albuquerque public school district in Bernalillo county;

243. forty thousand dollars (\$40,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at San Antonito elementary school in the Albuquerque public school district in Bernalillo county;

244. seven thousand five hundred dollars (\$7,500) to plan, design, construct, improve, equip and install a security camera system at San Antonito elementary school in the Albuquerque public school district in Bernalillo county;

245. twelve thousand five hundred dollars (\$12,500) to plan, design, construct and equip site improvements at San Antonito elementary school in the Albuquerque public school district in Bernalillo county;

246. ten thousand dollars (\$10,000) to plan, design and construct improvements, including grass athletic fields, site preparation and infrastructure, at Sandia Base elementary school in the Albuquerque public school district in Bernalillo county;

247. fifteen thousand dollars (\$15,000) to equip and furnish Sandia Base elementary school in the Albuquerque public school district in Bernalillo county;

248. twenty thousand dollars (\$20,000) to purchase books for the library at Sandia Base elementary school in the Albuquerque public school district in Bernalillo county;

~~249. five thousand dollars (\$5,000) to plan, design and construct parking, landscaping and site improvements at Sandia Base elementary school in the Albuquerque public school district in Bernalillo county;~~ *LINE-ITEM VETO*

250. ten thousand dollars (\$10,000) to plan, design, construct and improve the pick-up, bus turnoff and parking areas at Sandia Base elementary school in the Albuquerque public school district in Bernalillo county;

251. five thousand dollars (\$5,000) to purchase and install a videoconferencing audio-visual projection system for Sandia Base elementary school in the Albuquerque public school district in Bernalillo county;

252. twenty thousand dollars (\$20,000) to purchase technology equipment for Sandia Base elementary school in the Albuquerque public school district in Bernalillo county;

253. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Sandia high school in the Albuquerque public school district in Bernalillo county;

254. twenty-five thousand dollars (\$25,000) for electronic upgrades for signs at Sandia high school in the Albuquerque public school district in Bernalillo county;

255. one hundred twenty thousand dollars (\$120,000) to plan, design, renovate, construct, equip and furnish the grass field and the soccer field at Sandia high school in the Albuquerque public school district in Bernalillo county;

256. one hundred eight thousand dollars (\$108,000) to purchase books and purchase and install information technology, including related equipment, furniture and infrastructure, for the library at Sandia high school in the Albuquerque public school district in Bernalillo county;

257. ten thousand dollars (\$10,000) to plan, design, renovate, construct and equip science rooms at Sandia high school in the Albuquerque public school district in Bernalillo county;

258. one hundred thousand dollars (\$100,000) to plan, design, and construct site improvements, including drop-off areas, paving, sidewalks, signs and fencing, at Sandia high school in the Albuquerque public school district in Bernalillo county;

259. sixty thousand dollars (\$60,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Seven-Bar elementary school in the Albuquerque public school district in Bernalillo county;

~~[260. eight thousand five hundred dollars (\$8,500) to purchase and install a videoconferencing system at~~

~~Seven-Bar elementary school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

261. sixty thousand dollars (\$60,000) to plan, design and construct improvements, including staff parking, loop road and playground, at Sierra Vista elementary school in the Albuquerque public school district in Bernalillo county;

262. sixty thousand dollars (\$60,000) to purchase and install security equipment at Sierra Vista elementary school in the Albuquerque public school district in Bernalillo county;

~~[263. seventy five thousand dollars (\$75,000) to plan, design, construct, equip, furnish and renovate Sombra del Monte elementary school, including the~~

~~cafeteria, bathrooms and compliance with the Americans with Disabilities Act of 1990, in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

264. seventy-five thousand dollars (\$75,000) to plan, design and construct improvements to the roof of Sombra del Monte elementary school in the Albuquerque public school district in Bernalillo county;

265. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Sombra del Monte elementary school in the Albuquerque public school district in Bernalillo county;

266. three hundred twenty thousand dollars (\$320,000) to purchase land for, plan, design and construct a building for South Valley Academy charter school in the Albuquerque public school district in Bernalillo county;

267. twenty thousand dollars (\$20,000) to purchase and install a shade structure at Southwest Primary learning center charter school in the Albuquerque public school district in Bernalillo county;

268. twenty thousand dollars (\$20,000) to purchase and install acoustical panels and soundproofing materials for Southwest Secondary Learning Center charter school in the Albuquerque public school district in Bernalillo county;

269. eighty thousand dollars (\$80,000) to purchase a building and land for Southwest Secondary Learning Center charter school in the Albuquerque public school district in Bernalillo county;

270. one hundred thousand dollars (\$100,000) to purchase a building and land for Southwest Secondary Learning Center charter school in the Albuquerque public school district in Bernalillo county;

271. forty thousand dollars (\$40,000) to purchase and install equipment to upgrade the smart lab at Southwest Secondary Learning Center charter school in the Albuquerque public school district in Bernalillo county;

272. twenty-three thousand dollars (\$23,000) to purchase and install Wacom Cintiq graphic pen tables for the smart lab at Southwest Secondary Learning Center charter school in the Albuquerque public school district in Bernalillo county;

273. five thousand dollars (\$5,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Southwest Secondary Learning Center charter school in the Albuquerque public school district in Bernalillo county;

274. twenty-seven thousand dollars (\$27,000) to purchase and install equipment for the smart lab at Southwest Secondary Learning Center charter school in the Albuquerque public school district in Bernalillo county;

275. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Susie Rayos Marmon elementary school in the Albuquerque public school district in Bernalillo county;

~~[276. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at Susie Rayos Marmon elementary school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

277. thirty thousand dollars (\$30,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at S.Y. Jackson elementary school in the Albuquerque public school district in Bernalillo county;

~~[278. fifty thousand dollars (\$50,000) for improvements to the administration building at Taft middle school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

279. twenty-five thousand dollars (\$25,000) for communications infrastructure at Taft middle school in the Albuquerque public school district in Bernalillo county;

280. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Taft middle school in the Albuquerque public school district in Bernalillo county;

~~[281. eight thousand five hundred dollars (\$8,500) to purchase videoconferencing equipment for Taft middle school in the Albuquerque public school district in Bernalillo county;]~~*LINE-ITEM VETO*

282. fifty thousand dollars (\$50,000) to plan, design and construct renovations to the computer lab at Tomasita elementary school in the Albuquerque public school district in Bernalillo county;

283. sixty thousand dollars (\$60,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at Truman middle school in the Albuquerque public school district in Bernalillo county;

284. thirty thousand dollars (\$30,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Truman middle school and Alamosa elementary school in the Albuquerque public school district in Bernalillo county;

285. seventy-five thousand dollars (\$75,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Valley high school in the Albuquerque public school district in Bernalillo county;

286. one hundred thousand dollars (\$100,000) to plan, design, construct and improve the Valley high school soccer field in the Albuquerque public school district in Bernalillo county;

~~287. eight thousand five hundred dollars (\$8,500) to purchase and install a videoconferencing system at Valley high school in the Albuquerque public school district in Bernalillo county;~~ *LINE-ITEM VETO*

288. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and renovate the track and field facility, including bleachers, at Van Buren middle school in the Albuquerque public school district in Bernalillo county;

289. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Ventana Ranch elementary school in the Albuquerque public school district in Bernalillo county;

290. twenty thousand dollars (\$20,000) to purchase and install equipment for the weight room and athletic program and fields at Volcano Vista high school in the Albuquerque public school district in Bernalillo county;

291. twenty thousand dollars (\$20,000) to purchase and install an electronic marquee at Volcano Vista high school in the Albuquerque public school district in Bernalillo county;

292. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for Volcano Vista high school in the Albuquerque public school district in Bernalillo county;

293. forty-four thousand dollars (\$44,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Washington middle school in the Albuquerque public school district in Bernalillo county;

294. five thousand dollars (\$5,000) to purchase laptops for Washington middle school in the Albuquerque public school district in Bernalillo county;

295. seventeen thousand dollars (\$17,000) to purchase, install, equip and upgrade the videoconferencing system at Washington middle school in the Albuquerque public school district in Bernalillo county;

296. twenty-five thousand dollars (\$25,000) to purchase and install improvements to the athletic fields at West Mesa high school in the Albuquerque public school district in Bernalillo county;

297. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for West Mesa high school in the Albuquerque public school district in Bernalillo county;

298. fifty thousand dollars (\$50,000) to purchase and install library books and information technology, including related equipment, furniture and infrastructure, at West Mesa high school in the Albuquerque public school district in Bernalillo county;

~~[299. eight thousand five hundred dollars (\$8,500) to purchase and install videoconferencing equipment at West Mesa high school in the Albuquerque public school district in Bernalillo county;]~~ *LINE-ITEM VETO*

300. one hundred ninety-five thousand dollars (\$195,000) to construct a school bus drop-off area at Wherry elementary school in the Albuquerque public school district in Bernalillo county;

301. fifteen thousand dollars (\$15,000) to purchase and install artificial turf and to make exterior improvements, including soil stabilization, outdoor seating, an outdoor classroom, landscaping and a retaining wall, at Wherry elementary school in the Albuquerque public school district in Bernalillo county;

302. twenty-five thousand dollars (\$25,000) to plan, design, construct, improve and equip the gymnasium at Wherry elementary school in the Albuquerque public school district in Bernalillo county;

303. twenty-five thousand dollars (\$25,000) to purchase library books for Wherry elementary school in the Albuquerque public school district in Bernalillo county;

304. twenty thousand dollars (\$20,000) to plan, design and construct drainage improvements at Whittier elementary school in the Albuquerque public school district in Bernalillo county;

305. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, and purchase library equipment for Whittier elementary school in the Albuquerque public school district in Bernalillo county;

306. ten thousand dollars (\$10,000) to improve and equip the library, including the purchase of books, at Whittier elementary school in the Albuquerque public school district in Bernalillo county;

307. twenty-five thousand dollars (\$25,000) for a playground at Whittier elementary school in the Albuquerque public school district in Bernalillo county;

308. sixty thousand dollars (\$60,000) to purchase and install information technology, including related equipment, furniture and infrastructure, and a commercial

refrigerator and marquee for the health clinic at Wilson middle school in the Albuquerque public school district in Bernalillo county;

309. fifteen thousand dollars (\$15,000) to purchase and install a marquee sign for the health clinic at Wilson middle school in the Albuquerque public school district in Bernalillo county;

310. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Wilson middle school in the Albuquerque public school district in Bernalillo county;

311. fifteen thousand dollars (\$15,000) to equip the library, including the purchase of books, at Wilson middle school in the Albuquerque public school district in Bernalillo county;

312. fifteen thousand dollars (\$15,000) to purchase and install physical education equipment at Wilson middle school in the Albuquerque public school district in Bernalillo county;

313. ten thousand dollars (\$10,000) to plan, design and construct improvements to the physical education track at Wilson middle school in the Albuquerque public school district in Bernalillo county;

314. sixty thousand dollars (\$60,000) to plan, design, construct, renovate, purchase and equip, including a commons area, site improvements, weight room equipment, cafeteria equipment and a security system, the Youth Build trade school in the Albuquerque public school district in Bernalillo county;

315. eighty-five thousand dollars (\$85,000) to plan, design and construct improvements, including landscaping, playground and drainage improvements, at Zia elementary school in the Albuquerque public school district in Bernalillo county;

316. thirty-five thousand dollars (\$35,000) to improve and equip the library, including the purchase of furniture and books, at Zia elementary school in the Albuquerque public school district in Bernalillo county;

317. ten thousand dollars (\$10,000) to purchase non-textbook books for the library at Zuni elementary school in the Albuquerque public school district in Bernalillo county;

318. seventy-five thousand dollars (\$75,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Zuni elementary school in the Albuquerque public school district in Bernalillo county;

319. eighty thousand dollars (\$80,000) to purchase laptops for Zuni elementary school in the Albuquerque public school district in Bernalillo county;

320. sixty-five thousand dollars (\$65,000) to purchase and install supporting hardware, including printers, cameras, projectors and memory upgrades, for information technology at Zuni elementary school in the Albuquerque public school district in Bernalillo county;

321. five thousand dollars (\$5,000) to purchase and install a videoconferencing system at Zuni elementary school in the Albuquerque public school district in Bernalillo county;

322. one hundred thousand dollars (\$100,000) to construct improvements to the track and field event areas, including track surface improvements, in the Lake Arthur municipal school district in Chaves county;

323. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Berrendo elementary school in the Roswell independent school district in Chaves county;

324. ten thousand dollars (\$10,000) for equipment for the football program at Berrendo middle school in the Roswell independent school district in Chaves county;

325. forty thousand dollars (\$40,000) to purchase and install information technology infrastructure upgrades at Berrendo middle school in the Roswell independent school district in Chaves county;

326. thirty thousand dollars (\$30,000) to purchase, design and install a school-wide wireless network at Berrendo middle school in the Roswell independent school district in Chaves county;

327. twenty-five thousand dollars (\$25,000) to plan, design, construct, improve and equip facilities, including purchasing and installing information technology, at Del Norte elementary school in the Roswell independent school district in Chaves county;

328. one hundred thousand dollars (\$100,000) to plan, design, purchase and install improvements to the school grounds, including a sprinkler system, playground equipment and a rubberized surface, at East Grand Plains elementary school in the Roswell independent school district in Chaves county;

329. ten thousand dollars (\$10,000) to plan, design, construct and equip athletic fields at Goddard high school in the Roswell independent school district in Chaves county;

330. fifty thousand dollars (\$50,000) to plan, design and construct locker rooms, concession facilities and bathrooms at the Goddard high school baseball field in the Roswell independent school district in Chaves county;

331. twenty-four thousand dollars (\$24,000) to plan, design, purchase and install an outdoor electronic digital sign at Goddard high school in the Roswell independent school district in Chaves county;

332. twenty-five thousand dollars (\$25,000) to plan, design, construct, improve and equip facilities, including purchasing and installing information technology, for the football program at Goddard high school in the Roswell independent school district in Chaves county;

333. eighty-five thousand dollars (\$85,000) to plan, design, purchase, install and construct improvements, including bleachers, ceiling tiles and sound system, for the gymnasium at Goddard high school in the Roswell independent school district in Chaves county;

334. fifty thousand dollars (\$50,000) to plan, design, construct and equip improvements to the life skills classroom at Goddard high school in the Roswell independent school district in Chaves county;

335. twenty thousand dollars (\$20,000) to plan, design, construct, improve and equip facilities, including purchasing and installing information technology, at Mesa middle school in the Roswell independent school district in Chaves county;

336. fifty thousand dollars (\$50,000) for improvements and equipment for the fields at Mesa middle school in the Roswell independent school district in Chaves county;

337. fifty thousand dollars (\$50,000) to plan, design, purchase, install, furnish and construct improvements and to purchase and install information technology, including related equipment, furniture and infrastructure, at Military Heights elementary school in the Roswell independent school district in Chaves county;

~~[338. twenty five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Missouri Avenue elementary school in the Roswell independent school district in Chaves county;]~~*LINE-ITEM VETO*

339. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Nancy Lopez elementary school in the Roswell independent school district in Chaves county;

340. eighty thousand dollars (\$80,000) to purchase and install playground equipment at Pecos elementary school in the Roswell independent school district in Chaves county;

341. ninety thousand five hundred dollars (\$90,500) to plan, design, purchase and install an outdoor sign at Roswell high school in the Roswell independent school district in Chaves county;

342. thirty-eight thousand dollars (\$38,000) to plan, design, construct, renovate, purchase, equip and furnish a woodworking shop at Roswell high school in the Roswell independent school district in Chaves county;

343. twenty thousand dollars (\$20,000) to purchase and install equipment at the administrative building in the Roswell independent school district in Chaves county;

344. seventy-five thousand dollars (\$75,000) to plan, design, construct and equip an expansion of the teacher resource and technology center, including information technology and related equipment, furniture and infrastructure, in the Roswell independent school district in Chaves county;

345. ninety-five thousand dollars (\$95,000) for building improvements, including asbestos abatement, exterior surface restoration and energy-efficiency upgrades, at Sidney Gutierrez middle school in the Roswell independent school district in Chaves county;

346. ninety thousand dollars (\$90,000) to plan, design, purchase, install, construct and equip bleachers, including removal of existing bleachers, at Sierra middle school in the Roswell independent school district in Chaves county;

347. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Sunset elementary school in the Roswell independent school district in Chaves county;

348. seventy-five thousand dollars (\$75,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Valley View elementary school in the Roswell independent school district in Chaves county;

349. twenty-five thousand dollars (\$25,000) to plan, design, construct, purchase and install acoustic tiles at Washington Avenue elementary school in the Roswell independent school district in Chaves county;

350. seventy thousand dollars (\$70,000) to purchase and install information technology, including related equipment, furniture, infrastructure and interactive white boards, at Washington Avenue elementary school in the Roswell independent school district in Chaves county;

351. twenty-five thousand dollars (\$25,000) to purchase and install a mobile laptop station, whiteboards and wireless access points at Washington Avenue elementary school in the Roswell independent school district in Chaves county;

352. fifteen thousand dollars (\$15,000) to purchase and equip driver education vehicles for the Maxwell municipal school district in Colfax county;

353. ten thousand dollars (\$10,000) to purchase and equip school vehicles for the Springer municipal school district in Colfax county;

~~[354. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, furniture and infrastructure, in the Texico municipal school district in Curry county;]LINE-ITEM VETO~~

355. fifty thousand dollars (\$50,000) to plan, design and construct parking lot improvements for the Fort Sumner municipal school district in De Baca county;

356. ten thousand dollars (\$10,000) to purchase and install equipment for a homework hotline at the Gadsden independent school district in Dona Ana county;

357. thirty thousand dollars (\$30,000) to purchase office equipment for the Gadsden middle school health clinic in the Gadsden independent school district in Anthony in Dona Ana county;

358. one hundred sixty thousand dollars (\$160,000) to purchase and install a portable building for the Gadsden middle school health clinic in the Gadsden independent school district in Anthony in Dona Ana county;

359. twenty-five thousand dollars (\$25,000) to design and renovate restrooms at Alameda elementary school in the Las Cruces public school district in Dona Ana county;

360. eighty thousand dollars (\$80,000) to purchase, install, construct and equip playground improvements, including shade covers, at Columbia elementary school in the Las Cruces public school district in Dona Ana county;

~~[361. twenty-five thousand dollars (\$25,000) to plan, design and install exterior lighting at Dona Ana elementary school in the Las Cruces public school district in Dona Ana county;]LINE-ITEM VETO~~

362. ten thousand dollars (\$10,000) to plan, design and construct an enclosed breezeway at Fairacres elementary school in the Las Cruces public school district in Dona Ana county;

363. sixty thousand dollars (\$60,000) to plan, design and construct an athletic facility at Las Cruces high school in the Las Cruces public school district in Dona Ana county;

364. fourteen thousand dollars (\$14,000) to plan, design and construct restrooms in compliance with the Americans with Disabilities Act of 1990 at Tombaugh elementary school in the Las Cruces public school district in Dona Ana county;

365. ten thousand dollars (\$10,000) to plan and design a special needs playground area at Valley View elementary school in the Las Cruces public school district in Dona Ana county;

~~366. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Roselawn elementary school in the Artesia public school district in Eddy county;~~

~~367. forty thousand dollars (\$40,000) to plan, design, purchase and install heating, ventilation and air conditioning equipment in the gymnasium at Carlsbad high school in the Carlsbad municipal school district in Eddy county;~~

~~368. fifty thousand dollars (\$50,000) to plan, design, construct, renovate and furnish improvements to entrances and restroom facilities that comply with the provisions of the Americans with Disabilities Act of 1990 at P.R. Leyva middle school, Alta Vista middle school and Carlsbad high school in the Carlsbad municipal school district in Eddy county;]~~*LINE-ITEM VETO*

369. one hundred forty-six thousand dollars (\$146,000) for the building trades class to plan, design, construct and furnish a house in the Loving municipal school district in Eddy county;

370. two hundred ninety-eight thousand dollars (\$298,000) to purchase and install a security system in the Hobbs municipal school district in Lea county;

371. one hundred thousand dollars (\$100,000) to repair and replace roofs on the auditorium, band hall, cafeteria, maintenance building and administration building in the Jal public school district in Lea county;

372. seventy-five thousand dollars (\$75,000) to plan, design, purchase and install a camera security system at Llano pre-kindergarten and kindergarten in the Lovington municipal school district in Lea county;

373. seventy-five thousand dollars (\$75,000) to plan, design, construct and equip a softball field at Lovington high school in the Lovington municipal school district in Lea county;

374. fifty thousand dollars (\$50,000) to plan, design, purchase and install a camera security system at Taylor middle school in the Lovington municipal school district in Lea county;

375. fifty thousand dollars (\$50,000) for the building trades class to design and construct a house in the Tatum municipal school district in Lea county;

376. fifty thousand dollars (\$50,000) to plan and design a security system for facilities in the Tatum municipal school district in Lea county;

377. ten thousand dollars (\$10,000) to purchase furniture for the library at Capitan high school in the Capitan municipal school district in Lincoln county;

378. fifteen thousand dollars (\$15,000) to purchase band instruments for the Capitan municipal school district in Lincoln county;

379. eight thousand dollars (\$8,000) to plan, design and construct improvements to the football field, including a sprinkler system, in the Capitan municipal school district in Lincoln county;

380. seventeen thousand dollars (\$17,000) to purchase equipment for the sports programs in the Capitan municipal school district in Lincoln county;

381. one hundred thirty-two thousand dollars (\$132,000) to renovate buildings, including exterior improvements, and to construct, purchase, install and equip improvements to playgrounds, basketball courts and the cafeteria kitchen in the Carrizozo municipal school district in Lincoln county;

382. one hundred fifty thousand dollars (\$150,000) to purchase an activity bus for the Ruidoso municipal school district in Lincoln county;

383. twenty-five thousand dollars (\$25,000) to plan, design and construct a building for Cesar Chavez charter high school in the Deming public school district in Luna county;

384. fifteen thousand dollars (\$15,000) to plan, design, purchase and install a security system, including related equipment and furniture, in the Mora independent school district in Mora county;

385. twenty-five thousand dollars (\$25,000) to purchase and equip a vehicle for the Mora-Colfax head start program in the Mora independent school district in Mora county;

386. twenty thousand dollars (\$20,000) to plan and design a communications system for the Wagon Mound public school district in Mora county;

387. one hundred sixty-seven thousand dollars (\$167,000) to plan, design, purchase, construct, install and equip artificial turf at the football field, to include the surrounding area, runways and track facilities, in the Alamogordo public school district in Otero county;

388. fifty thousand dollars (\$50,000) to purchase and install a boiler for the heating system at Cloudcroft high school in the Cloudcroft municipal school district in Otero county;

389. nine thousand dollars (\$9,000) to purchase furniture for elementary school classrooms in the Cloudcroft municipal school district in Otero county;

390. fifteen thousand dollars (\$15,000) to purchase a grounds and athletic facility maintenance utility vehicle for the Cloudcroft municipal school district in Otero county;

391. twenty-five thousand dollars (\$25,000) to purchase vehicles for the Logan municipal school district in Quay county;

392. fifty-five thousand dollars (\$55,000) to purchase and equip an activity bus for the San Jon municipal school district in Quay county;

~~393. ten thousand dollars (\$10,000) to plan, design, construct, purchase and install a scoreboard for the Chama elementary-middle school gym in the Chama Valley independent school district in Rio Arriba county;~~ *LINE-ITEM VETO*

394. ten thousand dollars (\$10,000) to plan, design, construct, purchase and install a scoreboard for the Chama elementary-middle school gym in the Chama Valley independent school district in Rio Arriba county;

395. forty thousand dollars (\$40,000) to plan, design, construct, purchase and install a press box and bleachers at Escalante high school in the Chama Valley independent school district in Rio Arriba county;

396. one hundred thousand dollars (\$100,000) to equip the kitchen and playground and to purchase and install portables at Carinos charter school in the Espanola public school district in Rio Arriba county;

397. fifty-nine thousand dollars (\$59,000) to purchase information technology and related equipment, furniture and infrastructure for the education 2020 program at Espanola military academy in the Espanola public school district in Rio Arriba county;

398. one hundred forty-five thousand dollars (\$145,000) to plan, design, renovate and construct athletic fields, including water pipes, irrigation and landscaping,

for the middle and high schools in the Espanola public school district in Rio Arriba county;

~~[399. fifty thousand dollars (\$50,000) to plan, design and construct a press box at the Fred Cook memorial stadium in the Aztec municipal school district in San Juan county;]~~ *LINE-ITEM VETO*

400. fifty thousand dollars (\$50,000) to design and install playground equipment at the Bloomfield early childhood center in the Bloomfield school district in San Juan county;

401. fifty-five thousand dollars (\$55,000) to plan, design and construct a DWI memorial for the Las Vegas city public school district in San Miguel county;

402. forty thousand dollars (\$40,000) to purchase and equip the grounds and fields in the Las Vegas city public school district in San Miguel county;

403. forty thousand dollars (\$40,000) to purchase machinery for the Las Vegas city public school district in San Miguel county;

404. forty thousand dollars (\$40,000) to purchase a vehicle and equipment for the Las Vegas city public school district in San Miguel county;

405. ten thousand dollars (\$10,000) to purchase and install furniture, books, related equipment and a geodesic grow dome for Rio Gallinas charter school in the West Las Vegas public school district in San Miguel county;

406. twenty-five thousand dollars (\$25,000) to purchase and install playground equipment at Valley elementary school in the West Las Vegas public school district in San Miguel county;

407. ten thousand dollars (\$10,000) to plan, design, construct and equip Arissa's park at West Las Vegas high school in the West Las Vegas public school district in San Miguel county;

408. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase and install renovations to the heating, ventilation and air conditioning systems at West Las Vegas middle and Union elementary schools in the west Las Vegas public school district in San Miguel county;

409. twenty thousand dollars (\$20,000) to purchase, repair and equip buses for the West Las Vegas public school district in San Miguel county;

410. forty thousand dollars (\$40,000) to purchase maintenance equipment for the West Las Vegas public school district in San Miguel county;

411. thirty-five thousand dollars (\$35,000) to purchase, install and equip a portable modular building to serve as a kitchen-cafeteria for the West Las Vegas public school district in San Miguel county;

412. fifteen thousand dollars (\$15,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at Corrales elementary school in the Albuquerque public school district in Sandoval county;

413. ten thousand dollars (\$10,000) to plan and design improvements at the athletic complex, including restrooms and concession facilities, at Rio Rancho high school in the Rio Rancho public school district in Sandoval county;

414. one hundred twenty-one thousand dollars (\$121,000) to purchase and install interactive classroom technology, including a projection system, interactive whiteboards and associated equipment and audiovisual interactive technology, for the Rio Rancho public school district in Sandoval county;

415. eighty thousand dollars (\$80,000) to plan, design, construct and equip a recreational and support center for the Rio Rancho public school district in Sandoval county;

416. fifteen thousand dollars (\$15,000) to purchase vehicles, including trucks, for the Rio Rancho public school district in Sandoval county;

417. forty-five thousand dollars (\$45,000) to purchase and install playground equipment at Vista Grande elementary school in the Rio Rancho public school district in Sandoval county;

418. seventy-five thousand dollars (\$75,000) to plan, design and construct improvements to the water system in the Pojoaque Valley public school district in Santa Fe county;

419. twenty thousand dollars (\$20,000) to repair and replace the roof at Cesar Chavez elementary school in the Santa Fe public school district in Santa Fe county;

420. seventy thousand dollars (\$70,000) to furnish and equip seventh grade classrooms at Eldorado elementary school in the Santa Fe public school district in Santa Fe county;

421. seventy thousand dollars (\$70,000) to purchase portables for Eldorado elementary school in the Santa Fe public school district in Santa Fe county;

~~422. seventy-five thousand dollars (\$75,000) to purchase, construct and install portables at Gonzales elementary school in the Santa Fe public school district in Santa Fe county;]~~LINE-ITEM VETO

423. twenty thousand dollars (\$20,000) to purchase and install a security camera system at Kearny elementary school in the Santa Fe public school district in Santa Fe county;

424. ten thousand dollars (\$10,000) to plan, design and install a heat pump system at Rancho Viejo elementary school in the Santa Fe public school district in Santa Fe county;

425. one hundred thirty thousand dollars (\$130,000) to design the regional career technical center for the Santa Fe public school district in Santa Fe county;

426. one hundred thousand dollars (\$100,000) to plan, design, purchase and install security camera systems for schools in the Santa Fe public school district in Santa Fe county;

427. one hundred fifty-five thousand dollars (\$155,000) to construct an all-weather track at Magdalena high school in the Magdalena municipal school district in Socorro county;

428. one million dollars (\$1,000,000) to purchase laptops for seventh graders statewide;

429. thirty thousand dollars (\$30,000) to purchase automobiles to provide technical assistance to school districts statewide;

430. one million dollars (\$1,000,000) to purchase library books for public and charter schools statewide;

431. seventy-five thousand dollars (\$75,000) to purchase and equip an activity bus for the Penasco independent school district in Taos county;

~~[432. fifty thousand dollars (\$50,000) to plan, design, construct and improve athletic fields for the Questa independent school district in Taos county;]~~*LINE-ITEM VETO*

433. twenty-five thousand dollars (\$25,000) to plan, design, construct and renovate Taos elementary school in the Taos municipal school district in Taos county;

434. forty-nine thousand dollars (\$49,000) to purchase vehicles for the Belen consolidated school district in Valencia county;

435. ten thousand dollars (\$10,000) to plan, design and construct improvements to the landscaping and the parking lot drainage at Jaramillo elementary school in the Belen consolidated school district in Valencia county;

436. twenty thousand dollars (\$20,000) to purchase security cameras for La Merced elementary school in the Belen consolidated school district in Valencia county;

437. seventy thousand dollars (\$70,000) to plan and design the drop-off area at Rio Grande elementary school in the Belen consolidated school district in Valencia county;

438. ten thousand dollars (\$10,000) to plan, design, construct and equip the library at Bosque Farms elementary school in the Los Lunas public school district in Valencia county;

439. fifty thousand dollars (\$50,000) to plan, design and construct a transportation center for the Los Lunas public school district in Valencia county; and

440. eighty thousand dollars (\$80,000) to purchase library books for Valencia high school in the Los Lunas public school district in Valencia county.

Chapter 92 Section 45 Laws 2008

Section 45. ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the energy, minerals and natural resources department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. seventy-five thousand dollars (\$75,000) to purchase rights of way for, plan, design and construct improvements along the Santa Fe river between camino Alire and Frenchy's park in Santa Fe in Santa Fe county; and

2. five hundred thousand dollars (\$500,000) to purchase and equip fire trucks and crew carriers for district offices statewide.

Chapter 92 Section 46 Laws 2008

Section 46. STATE PARKS DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the state parks division of the energy, minerals and natural resources department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. twenty-one thousand dollars (\$21,000) to plan, design and construct the Rio Grande nature center state park in Albuquerque in Bernalillo county;

2. one hundred twenty-three thousand five hundred dollars (\$123,500) to plan, design and construct the Rio Grande trail in Bernalillo, Valencia, Sandoval, Socorro, Sierra, Dona Ana, Santa Fe, Rio Arriba and Taos counties;

3. ninety-one thousand dollars (\$91,000) to plan, design and construct Oliver Lee state park in Otero county;

~~4. twenty thousand dollars (\$20,000) to plan, design and construct Navajo Lake state park in Rio Arriba county;~~

~~5. five thousand dollars (\$5,000) to plan, design and construct Fenton Lake state park in Sandoval county;]~~*LINE-ITEM VETO*

6. five thousand dollars (\$5,000) for state park and trail improvements statewide; and

7. twenty-three thousand dollars (\$23,000) to plan, design and construct improvements to the Vietnam Veterans' Memorial state park in Colfax county.

Chapter 92 Section 47 Laws 2008

Section 47. OFFICE OF THE STATE ENGINEER PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the office of the state engineer for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

~~[1. twenty thousand dollars (\$20,000) for repairs, construction, improvements and equipment for the Fort Sumner irrigation district in De Baca county;]~~*LINE-ITEM VETO*

2. one hundred thirty-five thousand dollars (\$135,000) to plan, design, acquire land for and construct the Brahman earthen flood control dam east of Las Cruces in Dona Ana county;

3. eighty-five thousand dollars (\$85,000) to acquire land for and construct the Dragonfly earthen flood control channel east of Las Cruces in Dona Ana county;

4. one hundred sixty-five thousand dollars (\$165,000) to plan, design and construct bank stabilization and erosion control improvements to the Tellbrook arroyo in Dona Ana county;

5. twenty thousand dollars (\$20,000) to acquire property, design and construct a flood control structure in Chaparral in Dona Ana county;

~~[6. seventy-five thousand dollars (\$75,000) to plan, design and construct a storm water ponding area for Mesa village and Hacienda acres in Las Cruces in Dona Ana county;]LINE-ITEM VETO~~

7. twenty-five thousand dollars (\$25,000) to purchase property for, plan, design and construct flood control structures in Vado in Dona Ana county;

8. sixty-seven thousand dollars (\$67,000) to plan, design, renovate and construct flood plain detention, retention and diversion structures in the Nogal canyon area in Otero county;

9. one hundred thousand dollars (\$100,000) to plan drainage system improvements in Alamogordo in Otero county;

~~[10. fifty thousand dollars (\$50,000) to plan and purchase water rights for the Rio de Chama acequias association in Rio Arriba county;]LINE-ITEM VETO~~

11. ten thousand dollars (\$10,000) for a watershed management study for El Rito regional water and wastewater association and El Rito ditch association in Rio Arriba county;

~~[12. thirty thousand dollars (\$30,000) for a geohydrological study of ground water in San Miguel county;]LINE-ITEM VETO~~

13. fifty thousand dollars (\$50,000) to plan, design and construct xeriscaping, landscaping, water conservation and flood control infrastructure improvements in Rio Rancho in Sandoval county;

14. thirty-four thousand dollars (\$34,000) to purchase water rights for La Cienega mutual domestic water consumers and mutual sewage works in Santa Fe county;

15. ten thousand dollars (\$10,000) to purchase water rights for the Don Fernando de Taos land grant in Taos county; provided that the appropriation is contingent upon the community land grant-merced complying with the provisions of Chapter 49, Article 1 NMSA 1978 and the Audit Act; and

16. fifty thousand dollars (\$50,000) to purchase water rights for El Prado water and sanitation district in Taos county.

Chapter 92 Section 48 Laws 2008

Section 48. DEPARTMENT OF ENVIRONMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the department of environment for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. ten thousand dollars (\$10,000) to plan, design and construct an interceptor sewer along Coors boulevard from Fortuna road to Old Coors road for the Albuquerque Bernalillo county water utility authority in Bernalillo county;
2. seventy-five thousand dollars (\$75,000) to acquire land, construct a water storage tank and supply lines and connect a fire hydrant on New Mexico highway 14 for the Cedar Crest mutual domestic water consumers and sewage works association in Bernalillo county;
3. forty thousand dollars (\$40,000) to purchase land and easements for, plan, design and construct improvements to the water system, including housing, for the Green Ridge mutual domestic water consumers association in Bernalillo county;
4. thirty thousand dollars (\$30,000) to plan, design, construct, purchase and equip a well site and facility for the Sierra Vista mutual domestic association in Bernalillo county;
5. twenty-five thousand dollars (\$25,000) to plan, design, construct and install water system improvements for the Carnuel mutual domestic water and wastewater consumers association in Bernalillo county;
6. forty thousand dollars (\$40,000) to plan, design and construct a community sewer system in Tijeras in Bernalillo county;
7. five thousand dollars (\$5,000) to acquire rights of way for and to plan, design and construct a water line from Albuquerque to the To'hajiilee chapter of the Navajo Nation in Bernalillo county;
8. eighty thousand dollars (\$80,000) to plan, design and construct improvements to the water and fire systems for the Bibo mutual domestic water consumers association in Cibola county;
9. eighty-five thousand dollars (\$85,000) to plan, design, construct, renovate and repair an addition to the sewage lagoon and wastewater system of the Pine Hill schools in Cibola county;
10. twenty-five thousand dollars (\$25,000) to plan, design and construct water system improvements, including a well and storage tank, for the San Mateo mutual domestic water consumers association in Cibola county;
11. thirty thousand dollars (\$30,000) to purchase and install prefabricated buildings for the Bluewater Acres domestic water users association in Cibola county;
12. twenty-four thousand dollars (\$24,000) to purchase and equip a vehicle for the Bluewater Acres domestic water users association in Cibola county;

13. seventy thousand dollars (\$70,000) to plan, design and construct a wastewater collection and treatment system for the Cubero land grant in Cibola county; provided that the appropriation is contingent upon the community land grant-merced complying with the provisions of Chapter 49, Article 1 NMSA 1978 and the Audit Act;

14. one hundred forty-five thousand dollars (\$145,000) to plan, design and construct utility improvements to First and Second streets and to Roosevelt avenue in Grants in Cibola county;

15. fifty thousand dollars (\$50,000) to plan, design and construct improvements to the wastewater treatment plant in Grants in Cibola county;

16. fifty thousand dollars (\$50,000) to plan, design and construct improvements to a well in Milan in Cibola county;

17. one hundred five thousand dollars (\$105,000) to plan, design, construct and equip an extension of sewer lines and a lift station for the San Rafael water and sanitation district in Cibola county;

~~18. twenty five thousand dollars (\$25,000) to plan, design and construct improvements to the wastewater system in Eagle Nest in Colfax county;~~ *LINE-ITEM VETO*

19. twenty thousand dollars (\$20,000) to plan, design, expand and construct improvements, including a lift station, to the wastewater system in Melrose in Curry county;

20. one hundred thousand dollars (\$100,000) to plan, design and construct water system improvements, including wells and water supply, in Melrose in Curry county;

21. seventy thousand dollars (\$70,000) to purchase land for, plan, design, construct and equip a water well and pump house, including fencing and connections, for the Berino mutual domestic water consumers and mutual sewage works association in Dona Ana county;

22. thirty thousand dollars (\$30,000) to purchase land and rights of way for, plan, design, construct, purchase and install water system improvements, including pipelines, a water main, meters, hydrants and related equipment, for the Desert Sands mutual domestic water consumers association in Dona Ana county;

23. fifty thousand dollars (\$50,000) to purchase equipment for the Dona Ana mutual domestic water consumers association in Dona Ana county;

24. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, purchase and install north water tanks, including a pipeline, connection to the

distribution system and related infrastructure, for the Dona Ana mutual domestic water consumers association in Dona Ana county;

25. fifty thousand dollars (\$50,000) to plan, design, construct, purchase and install a regional water reclamation plant, including land acquisition, equipment and related infrastructure, for the Dona Ana mutual domestic water consumers association in Dona Ana county;

26. fifty thousand dollars (\$50,000) to plan, design, construct, purchase and install equipment and related infrastructure for a water main for the Dona Ana School road project for the Dona Ana mutual domestic water consumers association in Dona Ana county;

27. one hundred ten thousand dollars (\$110,000) to plan, design, construct, purchase and install equipment and related infrastructure for the West Hatfield-El Camino Real project water system improvements, including water main and fire hydrants, for the Dona Ana mutual domestic water consumers association in Dona Ana county;

28. fifty thousand dollars (\$50,000) to plan, design, construct, purchase and install water system improvements for the Armstrong-Engler project, including fire hydrants, for the Dona Ana mutual domestic water consumers association in Dona Ana county;

29. one hundred sixty thousand dollars (\$160,000) to purchase rights of way for, plan, design and construct pipeline interconnections between the Vado, Mesquite, Berino la Mesa and Desert Sands water systems, including purchase and installation of meters and related equipment, for the lower Rio Grande mutual domestic water association in Dona Ana county;

30. one hundred fifteen thousand dollars (\$115,000) to plan, design, construct, purchase and install sewer line improvements and extensions, including related equipment and infrastructure, for the Mesquite mutual domestic water consumers and mutual sewage works association in Dona Ana county;

31. one hundred twenty thousand dollars (\$120,000) to plan, design, construct, purchase, install and equip water system improvements, including upgrading water lines to the Del Cerro, Vado and Mesquite colonias, for the Mesquite mutual domestic water consumers and mutual sewage works association in Dona Ana county;

32. twenty thousand dollars (\$20,000) to plan, design and construct the Montana Vista wastewater system in Dona Ana county;

33. one hundred thousand dollars (\$100,000) to plan and purchase land for a building for the San Pablo mutual domestic water consumers association in Dona Ana county;

34. forty thousand dollars (\$40,000) to plan, design and construct well and water system improvements for the Talavera mutual domestic water consumers association in Dona Ana county;

35. sixty-five thousand dollars (\$65,000) to plan, design, purchase and install water meters, meter-reading equipment and information technology, including related equipment, furniture and infrastructure, for the Vado mutual domestic water consumers association in Dona Ana county;

36. twenty thousand dollars (\$20,000) to plan, design and construct a wastewater treatment plant and collection system in Chaparral in Dona Ana county;

37. two hundred eighty-six thousand dollars (\$286,000) to purchase, plan, design and construct a well, including water rights, fencing, related infrastructure and equipment, in Hatch in Dona Ana county;

38. seventy-five thousand dollars (\$75,000) to construct the East Mesa water reclamation facility in Las Cruces in Dona Ana county;

39. seventy-five thousand dollars (\$75,000) to plan, design and construct infrastructure, including a ground water well, piping and treatment equipment, for the Griggs-Walnut superfund site in Las Cruces in Dona Ana county;

40. twenty-nine thousand dollars (\$29,000) for remediation of the Griggs-Walnut superfund site in Las Cruces in Dona Ana county;

41. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct a sewer line in the Willow Glen area in Las Cruces in Dona Ana county;

42. fifty thousand dollars (\$50,000) to plan, design and construct the relocation of the city sludge compost operations in Las Cruces in Dona Ana county;

43. twenty thousand dollars (\$20,000) to plan, design, purchase and construct water system improvements including drilling a well in San Miguel in Dona Ana county;

44. fifty thousand dollars (\$50,000) to purchase water rights for, plan, design, construct and equip water system improvements, including a well, for the Cottonwood rural water cooperative in Eddy county;

45. twenty-five thousand dollars (\$25,000) to plan, design and construct water, street and drainage improvements for a water regionalization project in the Morningside colonia of Eddy county;

46. one hundred thousand dollars (\$100,000) to plan, design and construct water system improvements for the Malaga mutual domestic water consumers and sewage works association in Eddy county;

47. one hundred twenty-five thousand dollars (\$125,000) to purchase water rights for, plan, design and construct water system improvements to connect the Otis mutual domestic water consumers and sewage works association system with the Malaga mutual domestic water consumers and sewage works association system in Eddy county;

48. one hundred eight thousand dollars (\$108,000) to plan, design and construct improvements to the wastewater treatment plant in Artesia in Eddy county;

49. twenty-five thousand dollars (\$25,000) to plan, design and construct water and wastewater system improvements in Artesia in Eddy county;

50. one hundred seventy-five thousand dollars (\$175,000) to design and construct reservoirs in Carlsbad in Eddy county;

51. fifty thousand dollars (\$50,000) to plan and design sewer system extensions, including an engineering study, in Hope in Eddy county;

~~52. fifty thousand dollars (\$50,000) to plan, design, purchase, construct and equip improvements to the wastewater treatment plant and the sewer system in Loving in Eddy county;~~ *LINE-ITEM VETO*

53. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish improvements to the water system for the Lake Roberts water users association in Grant county;

54. twenty-three thousand dollars (\$23,000) to plan, design, construct and equip water system improvements for the Rosedale mutual domestic water consumers association in Grant county;

55. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish improvements to the water system for the Hanover mutual domestic water consumers association in Grant county;

56. one hundred fifty-five thousand dollars (\$155,000) to purchase water rights for, plan, design and construct water system improvements in Hurley in Grant county;

57. one hundred forty thousand dollars (\$140,000) to plan, design, construct and install improvements to the water system for the Hollywood Ranch domestic water users association in Guadalupe county;

58. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and furnish improvements to the water system in Virden in Hidalgo county;

59. one hundred seventy-five thousand dollars (\$175,000) to plan, design and construct improvements to the business incubator wastewater treatment plant in Jal in Lea county;

60. twenty-five thousand dollars (\$25,000) to purchase and install a fixed-base network radio-read water metering system in Lovington in Lea county;

61. fifty thousand dollars (\$50,000) to plan, design and construct improvements, including fire protection improvements, to the water system for the Monument mutual domestic water consumers association in Monument in Lea county;

62. sixty-six thousand dollars (\$66,000) to design, construct and equip compactor sites in Lincoln county;

63. sixty-five thousand dollars (\$65,000) to design, construct and equip recycling drop-off sites in Lincoln county;

64. one hundred thousand dollars (\$100,000) to plan, design and construct water system improvements, including replacement of the water treatment plant and delivery system, for the Nogal mutual domestic water consumers association in Lincoln county;

65. one hundred forty-two thousand dollars (\$142,000) to plan, design and construct improvements, including cells, to the northwest New Mexico regional solid waste authority in McKinley county;

66. twenty-five thousand dollars (\$25,000) to plan, design and construct wastewater improvements for the Williams Acres water and sanitation district in McKinley county;

67. fifty-five thousand dollars (\$55,000) to plan, design and construct water system improvements, including water tanks, in the Ya-Tah-Hey water and sanitation district in McKinley county;

68. ten thousand dollars (\$10,000) to plan, design, construct and install water system improvements for the Buena Vista mutual domestic water consumers association in Mora county;

69. ten thousand dollars (\$10,000) to purchase land for, plan, design and construct wastewater system improvements for the Mora mutual domestic water consumers and mutual sewage associations in Mora in Mora county;

70. ten thousand dollars (\$10,000) to plan, design, construct and install water system improvements for the Ojo Feliz mutual domestic water consumers association in Ojo Feliz in Mora county;

71. twenty thousand dollars (\$20,000) to plan, design, construct and install water system improvements for the Rio Chiquito mutual domestic water consumers and mutual sewage works association in Rio Chiquito in Rio Arriba and Santa Fe counties;

72. thirty thousand dollars (\$30,000) to plan, design, construct and equip a water system for the Chimayo mutual domestic water consumers association in Santa Fe and Rio Arriba counties;

73. twenty-five thousand dollars (\$25,000) to design, construct and equip compactor sites for the Lincoln county solid waste authority to be located in Otero county;

74. twenty-four thousand dollars (\$24,000) to purchase a roll-off truck for Otero county;

75. sixty thousand dollars (\$60,000) to plan, design and construct water system improvements, including tanks, pipelines and meters, for the Timberon water and sanitation district in Otero county;

76. one hundred eighty thousand dollars (\$180,000) to purchase land for, plan, design and construct a water storage pond at Tularosa creek in Tularosa in Otero county;

~~77. fifty thousand dollars (\$50,000) to plan, design and construct improvements to the wastewater treatment entrance works in Tularosa in Otero county;~~ *LINE-ITEM VETO*

78. twenty-five thousand dollars (\$25,000) to plan, design and build water and wastewater improvements and infrastructure in Logan in Quay county;

79. twenty thousand dollars (\$20,000) to plan, design and construct improvements to the water system, including pressure reducing stations and valves, for the Abiquiu mutual domestic water consumers association and mutual sewage works association in Rio Arriba county;

80. twenty thousand dollars (\$20,000) to plan, design and construct a water system for the Ancones mutual domestic water and wastewater consumers association in Los Ancones in Rio Arriba county;

81. thirty thousand dollars (\$30,000) to plan, design, construct, equip and install a water system to connect the Rincon Blanco community center, including water

lines, sanitary facilities and a septic system, for the Cebolla mutual domestic water consumers and sewage works association in Rio Arriba county;

82. thirty-five thousand dollars (\$35,000) to plan, design, purchase, renovate and construct improvements to the portable office and site of the Cordova mutual domestic water consumers association in Rio Arriba county;

83. twenty thousand dollars (\$20,000) to plan, design, construct, equip and install water system improvements, including interconnections, distribution lines and connections, meters, fire hydrants and a water tank, for the Los Apodaca mutual domestic water consumers association in Rio Arriba county;

84. twenty thousand dollars (\$20,000) to plan, design, construct and equip water system improvements, including meters and fire hydrants, line replacement and extension and interconnection to the Apodaca and Montecito water systems, for the Upper Canoncitos mutual domestic water consumers association in Rio Arriba county;

85. ten thousand dollars (\$10,000) to pay off a loan for water system improvements for the Vallecitos mutual domestic water consumers association in Rio Arriba county;

86. fifty thousand dollars (\$50,000) to plan, design and construct improvements, including line extension, infrastructure and a well, to the Canjilon mutual domestic water consumers and mutual sewage works association in Canjilon in Rio Arriba county;

87. forty-two thousand dollars (\$42,000) to plan, design, construct, renovate, equip and furnish a wastewater facility in Chama in Rio Arriba county;

88. fifteen thousand dollars (\$15,000) to plan, design and construct well improvements for the Agua Sana water users association in Rio Arriba county;

89. twenty-five thousand dollars (\$25,000) to plan, design and construct a water storage tank for the Tierra Amarilla mutual domestic water association in Rio Arriba county;

90. forty-nine thousand dollars (\$49,000) to plan, design and construct a water treatment facility in Floyd in Roosevelt county;

91. eighty thousand dollars (\$80,000) to plan, design and construct infrastructure for the water transmission system for the Blanco mutual domestic water consumers and mutual sewage works association in San Juan county;

92. one hundred thousand dollars (\$100,000) to plan, design and construct infrastructure improvements to the water transmission and distribution system for North Star mutual domestic water consumers association in San Juan county;

93. eighty thousand dollars (\$80,000) to plan improvements to the wastewater system in the Lee Acres area of San Juan county;

94. seventy-four thousand dollars (\$74,000) to design and construct a treatment unit for the Southside mutual domestic water association in San Juan county;

~~95. fifty thousand dollars (\$50,000) to plan, design, construct, equip and install a pipeline for the Big Mesa mutual domestic water consumers association in San Miguel county;~~ *LINE-ITEM VETO*

96. thirty thousand dollars (\$30,000) to plan, design, construct and install water system improvements for the Chapelle mutual domestic consumers association in Chapelle in San Miguel county;

97. ten thousand dollars (\$10,000) to plan, design and construct water system improvements for water systems within El Valle water alliance in San Miguel county;

98. ten thousand dollars (\$10,000) to plan, design and construct water system improvements, expansions and a storage facility for the Ledoux mutual domestic water consumers and mutual sewage works association in San Miguel county;

99. ten thousand dollars (\$10,000) to plan, design, construct and install water system improvements for the Lower Colonias mutual domestic water consumers association in San Miguel county;

100. ten thousand dollars (\$10,000) to plan, design and construct water and wastewater system improvements in Pecos in San Miguel county;

101. thirty thousand dollars (\$30,000) to plan, design, construct and install water system improvements for the Rowe mutual domestic water consumers association in San Miguel county;

102. one hundred fifty thousand dollars (\$150,000) to plan, design and construct water system improvements, including a commercial well, for arsenic remediation and increased water supply for the Jemez Springs domestic water association in Sandoval county;

103. fifty thousand dollars (\$50,000) to plan, design and construct water system improvements, including infrastructure, for La Jara mutual domestic water consumers and mutual sewage works association in Sandoval county;

104. one hundred thousand dollars (\$100,000) to plan, design and construct water system improvements for the Ponderosa mutual domestic water consumers association in Sandoval county;

105. ninety thousand dollars (\$90,000) to plan, design and construct water system improvements for the San Luis-Cabezon mutual domestic water association in Sandoval county;

106. seven hundred eighty-six thousand dollars (\$786,000) to plan, design, construct and equip a

deep-aquifer water desalination system, including water gathering, water treatment and water transport, in Sandoval county;

107. one hundred thousand dollars (\$100,000) to plan, design and construct wastewater system and facility improvements in Cuba in Sandoval county;

108. fifty thousand dollars (\$50,000) to plan, design and construct improvements to the water treatment plant and wells in Cuba in Sandoval county;

109. one hundred ten thousand dollars (\$110,000) to plan, design, construct and install water system improvements for the Pena Blanca mutual domestic water consumers and mutual sewage works associations in Sandoval county;

110. ten thousand dollars (\$10,000) to plan, design and construct water system improvements for the Canoncito at Apache Canyon mutual domestic water consumers and mutual sewage works association in Santa Fe county;

111. ten thousand dollars (\$10,000) to purchase water rights and plan, design and construct water line connections from the county water system via the Eldorado area water and sanitation district and the Eldorado system to serve the Canoncito area in Santa Fe county;

112. ten thousand dollars (\$10,000) to plan, design, construct and equip improvements to the water system in Galisteo in Santa Fe county;

113. one hundred ten thousand dollars (\$110,000) to plan, design and improve the water system for La Cienega mutual domestic water consumers and mutual sewage works in Santa Fe county;

114. seventy-five thousand dollars (\$75,000) to plan, design, construct, purchase, install and improve a sewer line extension at Agua Fria street and paseo de Tercero and via Toribio in Agua Fria in Santa Fe county;

115. thirty thousand dollars (\$30,000) to plan, design, construct, renovate and install water system improvements for the Valencia community corporation mutual domestic water consumers and mutual sewage works association in Santa Fe county;

116. fifty thousand dollars (\$50,000) to purchase land and to plan, design and construct a water storage tank, including transmission lines, booster pumps and all appurtenances, for the Eldorado area water and sanitation district in Santa Fe county;

117. thirty-five thousand dollars (\$35,000) to plan, design and construct a water tank, including site preparation, access road improvement and security improvement, for the Glorieta estates mutual domestic water consumers association in Santa Fe county;

~~118. one hundred thousand dollars (\$100,000) to plan, design and construct a sewer system in Elephant Butte in Sierra county;]~~LINE-ITEM VETO

119. sixty thousand dollars (\$60,000) to plan, design, purchase, install and construct water system improvements, including equipment and a well, for the Polvadera mutual domestic water consumers association in Socorro county;

120. sixty thousand dollars (\$60,000) to plan, design and construct water line improvements, including water meters, for the Cerro regional mutual domestic water consumers and sewage works association in Taos county;

121. thirty thousand dollars (\$30,000) for a feasibility study for a centralized wastewater system in the Penasco area in Taos county, contingent upon the execution of a joint powers agreement among members of La Jicarita watershed and wastewater study committee;

122. thirty thousand dollars (\$30,000) to plan, design, construct and improve the water system for the Rodarte mutual domestic water consumers association in Rodarte in Taos county;

123. twenty-five thousand dollars (\$25,000) to plan, design and construct a recycling center building, including site preparation and electrical hookup, in Taos county;

124. ten thousand dollars (\$10,000) to plan, design and construct water system improvements for the upper Des Montes mutual domestic water consumers association in Taos county;

125. sixty thousand dollars (\$60,000) to plan, design, acquire easements and construct improvements to the wastewater system for el Valle de los Ranchos water and sanitation district in Ranchos de Taos in Taos county;

126. ten thousand dollars (\$10,000) to plan, design and construct a deep-water well at the Taos regional airport in Taos county;

~~127. five thousand dollars (\$5,000) to plan, design, construct, equip and upgrade the water system, including a storage building, for the Tres Piedras mutual~~

~~domestic water consumers association in Tres Piedras in Taos county;~~ *LINE-ITEM*
VETO

128. thirty thousand dollars (\$30,000) to plan, design, construct, renovate and install water system improvements for the Vadito mutual domestic water consumers association in Mora in Mora county;

129. ten thousand dollars (\$10,000) to plan, design and construct water system improvements, including a water line and water meter installation, for the Valdez mutual domestic water consumers and mutual sewage works association in Valdez in Taos county;

130. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct water and wastewater system improvements, including new lines and lift stations, in Clayton in Union county;

131. twenty thousand dollars (\$20,000) to plan, design, renovate, expand and construct improvements to the Conejo transfer station building in Valencia county;

132. fifty thousand dollars (\$50,000) to plan, design and construct arsenic treatment facilities at wells number 6 and 8 in Belen in Valencia county;

133. one hundred twenty thousand dollars (\$120,000) to plan, design and equip improvements to the west side booster station, including pumps, related equipment, piping and a generator, in Belen in Valencia county; and

134. fifteen thousand dollars (\$15,000) to plan, design and construct improvements, including a de-watering system, to the wastewater treatment plant in Bosque Farms in Valencia county.

Chapter 92 Section 49 Laws 2008

Section 49. STATE FAIR COMMISSION PROJECT--GENERAL FUND.--Fifty thousand dollars (\$50,000) is appropriated from the general fund to the state fair commission for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to plan, design and landscape the grounds at the African American performing arts center at the New Mexico state fairgrounds in Albuquerque in Bernalillo county.

Chapter 92 Section 50 Laws 2008

Section 50. DEPARTMENT OF FINANCE AND ADMINISTRATION PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the department of finance and administration for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

~~1. forty thousand dollars (\$40,000) for disbursement to the New Mexico mortgage finance authority to plan, design, purchase and renovate transitional housing pursuant to the Affordable Housing Act in Gallup in McKinley county;]~~ *LINE-ITEM VETO*

2. ten thousand dollars (\$10,000) for disbursement to the New Mexico mortgage finance authority to purchase equipment for transitional housing pursuant to the Affordable Housing Act in Gallup in McKinley county;

3. two hundred thirty-five thousand dollars (\$235,000) for disbursement to the New Mexico mortgage finance authority to plan, design, construct, renovate, equip and furnish a transitional living facility and offices, including a kitchen, a laundry and counseling areas, for homeless teens in Santa Fe county pursuant to the Affordable Housing Act;

4. two hundred fifty thousand dollars (\$250,000) for disbursement to the New Mexico mortgage finance authority to plan, design and construct housing and infrastructure using green building technologies for the Desert Sage housing project in Santa Fe in Santa Fe county pursuant to the Affordable Housing Act;

5. four million dollars (\$4,000,000) to plan, design and construct infrastructure improvements for colonias statewide;

6. one million dollars (\$1,000,000) for disbursement to the New Mexico mortgage finance authority for energy-efficient building materials, mechanical systems and other improvements that are affixed to real property;

7. three million dollars (\$3,000,000) for film and media production, education and training facilities and other film initiatives statewide;

8. two hundred thousand dollars (\$200,000) for land grant facilities and infrastructure projects related to water, wastewater, communications and roads statewide; provided that the appropriation is contingent on the community land grant-merced complying with the provisions of Chapter 49, Article 1 NMSA 1978 and the Audit Act;

9. one million dollars (\$1,000,000) to plan, design, construct and equip local fair and arena facilities, including expenditures related to the rodeo statewide;

10. twenty-five thousand dollars (\$25,000) for disbursement to the New Mexico mortgage finance authority to purchase the Budget Host motel for a transitional housing facility pursuant to the Affordable Housing Act in Taos in Taos county;

11. twenty-five thousand dollars (\$25,000) for disbursement to the New Mexico mortgage finance authority to plan, design and construct utility and road infrastructure for the affordable housing project at Chamisa Verde pursuant to the Affordable Housing Act in Taos in Taos county;

12. thirty-two thousand five hundred dollars (\$32,500) for disbursement to the New Mexico mortgage finance authority to renovate, equip, furnish and landscape a congregate housing facility providing emergency services to at-risk youth in Taos county pursuant to the Affordable Housing Act; and

13. two hundred thousand dollars (\$200,000) to provide technical assistance and to plan, design and construct acequias statewide.

Chapter 92 Section 51 Laws 2008

Section 51. NEW MEXICO FINANCE AUTHORITY PROJECT-- GENERAL FUND.--One hundred fifty-three thousand dollars (\$153,000) is appropriated from the general fund to the New Mexico finance authority to repay a loan to the New Mexico finance authority for phase 2 construction of the Meadow Lake fire station in Valencia county.

Chapter 92 Section 52 Laws 2008

Section 52. DEPARTMENT OF GAME AND FISH PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the department of game and fish for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

~~1. fifteen thousand dollars (\$15,000) to purchase beaver mitigation equipment for the department of game and fish for use statewide; and~~

~~2. twenty-five thousand dollars (\$25,000) to equip the archery in the schools program at the department of game and fish.]~~*LINE-ITEM VETO*

Chapter 92 Section 53 Laws 2008

Section 53. DEPARTMENT OF HEALTH PROJECT--GENERAL FUND.--One hundred thousand dollars (\$100,000) is appropriated from the general fund to the department of health for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to purchase and install brain function assessment equipment statewide.

Chapter 92 Section 54 Laws 2008

Section 54. HUMAN SERVICES DEPARTMENT PROJECT--GENERAL FUND.--Two million dollars (\$2,000,000) is appropriated from the general fund to the human services department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for domestic violence projects to maintain, repair and renovate facilities to ensure consistent domestic violence service delivery and to plan, design, construct, equip and furnish additional shelters statewide.

Chapter 92 Section 55 Laws 2008

Section 55. INDIAN AFFAIRS DEPARTMENT PROJECTS--GENERAL FUND.--
The following amounts are appropriated from the general fund to the Indian affairs department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. fifty-seven thousand dollars (\$57,000) to design and construct improvements, including sidewalks, lighting, landscaping and utilities, on the former Albuquerque Indian school property for the all Indian pueblo council in Albuquerque in Bernalillo county;
2. ninety-five thousand dollars (\$95,000) to plan, design and construct repairs and restoration to the Indian pueblo cultural center, including improvements to the structure, water and sewer lines, electrical and security systems and murals, in Albuquerque in Bernalillo county;
3. thirty-four thousand dollars (\$34,000) to plan, design and construct renovations to the magistrate courthouse at the To'hajiilee chapter of the Navajo Nation in Bernalillo county;
4. sixty thousand dollars (\$60,000) to purchase a road grader for the To'hajiilee chapter of the Navajo Nation in Bernalillo county;
5. twenty-five thousand dollars (\$25,000) to design and renovate the Pueblo of Acoma boys' and girls' club complex in Cibola county;
6. twenty-five thousand dollars (\$25,000) to purchase and equip public safety vehicles for the police and fire departments in the Pueblo of Acoma in Cibola county;
7. fifty thousand dollars (\$50,000) to plan, design, construct and equip a wastewater treatment facility for the Pueblo of Acoma in Cibola county;
8. seventy-five thousand dollars (\$75,000) to purchase school buses for the Pueblo of Laguna middle school health clinic in Cibola county;
9. twenty-five thousand dollars (\$25,000) to plan and design a swimming pool at the Pueblo of Laguna in Cibola county;
10. forty thousand dollars (\$40,000) to plan, design and construct water, wastewater and infrastructure improvements at the Pueblo of Laguna in Cibola county;
11. fifty-five thousand dollars (\$55,000) to plan, design and construct bathroom additions to homes on the Ramah chapter of the Navajo Nation in Cibola county;

12. forty-five thousand dollars (\$45,000) to purchase and equip trucks and a trailer for the Ramah chapter of the Navajo Nation in Cibola county;

13. thirty thousand dollars (\$30,000) to plan, design and construct scattered water lines and bathroom additions on the New Mexico side of the state line in the Fort Defiance chapter of the Navajo Nation in McKinley county;

14. one hundred forty-four thousand dollars (\$144,000) to construct and equip the Shiprock municipal water and wastewater systems for the Shiprock chapter of the Navajo Nation in McKinley county;

15. eighty-five thousand dollars (\$85,000) to plan, design and construct a parking lot for the chapter compound for the Baahaali chapter of the Navajo Nation in McKinley county;

16. forty-five thousand dollars (\$45,000) to plan, design, renovate and construct an expansion of the chapter house at the Baahaali chapter of the Navajo Nation in McKinley county;

17. ten thousand dollars (\$10,000) to plan and design a housing compound and regional veterans center on the Baahaali-Pinehaven development site at the Baahaali chapter of the Navajo Nation in McKinley county;

~~18. ten thousand dollars (\$10,000) to plan and design a housing compound and regional veterans center on the Baahaali-Pinehaven development site at the Baahaali chapter of the Navajo Nation in McKinley county;~~

~~19. fifteen thousand dollars (\$15,000) to plan, design and construct improvements to the rodeo arena and grounds at the Baahaali chapter of the Navajo Nation in McKinley county;~~

~~20. ten thousand dollars (\$10,000) to plan and design a regional transfer station and to purchase and install a trash compactor in the Baahaali chapter of the Navajo Nation in McKinley county;~~

~~21. ten thousand dollars (\$10,000) to purchase vehicles for the Baahaali chapter of the Navajo Nation in McKinley county;]~~ *LINE-ITEM VETO*

22. thirty-five thousand dollars (\$35,000) to plan, design and construct bathroom addition renovations to homes in the Baca-Prewitt chapter of the Navajo Nation in McKinley county;

23. eighty-five thousand dollars (\$85,000) to plan, design and construct bathroom additions to homes in the Becenti chapter of the Navajo Nation in McKinley county;

24. thirty thousand dollars (\$30,000) to equip a solid waste transfer station in the Chichiltah chapter of the Navajo Nation in McKinley county;

25. twenty-five thousand dollars (\$25,000) to plan and design an economic development project in the Church Rock chapter of the Navajo Nation in McKinley county;

26. seventy-five thousand dollars (\$75,000) to plan, design and construct power line extensions in the Church Rock chapter of the Navajo Nation in McKinley county;

27. twenty-five thousand dollars (\$25,000) to plan and design utility extensions, including right-of-way acquisitions, in the Coyote Canyon chapter of the Navajo Nation in McKinley county;

28. fifty thousand dollars (\$50,000) to plan, design, construct, equip and install a modular office building, including site preparation and demolition of a structure, for the Navajo Nation local governance support center in Crownpoint in McKinley county;

29. eighty-five thousand dollars (\$85,000) to plan, design and construct a head start center in the Iyanbito chapter of the Navajo Nation in McKinley county;

30. twenty-five thousand dollars (\$25,000) to plan, design, replace, equip and construct improvements, including demolition, to the chapter house in the Manuelito chapter of the Navajo Nation in McKinley county;

31. thirty-five thousand dollars (\$35,000) to plan, design and construct the Kin Hozhoni veterans' hall, including site preparation and demolition of a structure, in the Manuelito chapter of the Navajo Nation in McKinley county;

32. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and furnish a playground in the Mexican Springs chapter of the Navajo Nation in McKinley county;

33. forty thousand dollars (\$40,000) to acquire land and rights of way for and to plan, design and construct a water line extension in the Mexican Springs chapter of the Navajo Nation in McKinley county;

34. seventy-five thousand dollars (\$75,000) to purchase a grader for the Ojo Encino chapter of the Navajo Nation in McKinley county;

35. thirty-five thousand dollars (\$35,000) to plan, design and construct wiring and power lines in the Pinedale chapter of the Navajo Nation in McKinley county;

36. thirty-five thousand dollars (\$35,000) to plan, design, construct, renovate and improve the community recreation center in the Red Lake chapter of the Navajo Nation in McKinley county;

37. fifty-two thousand dollars (\$52,000) to plan, design, construct and install a powerline extension in the Standing Rock chapter of the Navajo Nation in McKinley county;

38. twenty-five thousand dollars (\$25,000) to plan and design a first response building for the Thoreau chapter of the Navajo Nation in McKinley county;

39. thirty thousand dollars (\$30,000) to plan, design and construct power line extensions in the Thoreau chapter of the Navajo Nation in McKinley county;

40. fifty thousand dollars (\$50,000) to plan, design and construct bathroom additions in the Tohatchi chapter of the Navajo Nation in McKinley county;

41. ten thousand dollars (\$10,000) to purchase and install fencing at the cemetery in the Tohatchi chapter of the Navajo Nation in McKinley county;

42. twenty-five thousand dollars (\$25,000) to plan and design a veterans' center in the Tohatchi chapter of the Navajo Nation in McKinley county;

43. thirty-five thousand dollars (\$35,000) to construct a government office complex in the Twin Lakes chapter of the Navajo Nation in McKinley county;

44. thirty thousand dollars (\$30,000) to purchase and install pellet stoves for the Whitehorse Lake chapter of the Navajo Nation in McKinley county;

45. eighty-five thousand dollars (\$85,000) to plan, design and construct a utility facility at the Pueblo of Zuni in McKinley county;

46. thirty-five thousand dollars (\$35,000) to plan, design and construct wastewater system and treatment facilities in the commercial development areas at the Pueblo of Zuni in McKinley county;

47. fifty thousand dollars (\$50,000) to construct wastewater treatment cells at the Pueblo of Zuni in McKinley county;

48. one hundred twenty thousand dollars (\$120,000) to plan, design and construct a water line extension and bathrooms serving the Torreon and Ojo Encino chapters of the Navajo Nation in Sandoval and McKinley counties;

49. sixty thousand dollars (\$60,000) to purchase and equip vehicles for the police department on the Pueblo of Isleta in Bernalillo, Tarrant and Valencia counties;

50. twenty-five thousand dollars (\$25,000) to plan, design and construct a veterans' center at the Pueblo of Isleta in Bernalillo, Tarrant and Valencia counties;

51. one hundred twenty thousand dollars (\$120,000) to plan, design, construct, renovate and equip a health center at the Pueblo of Sandia in Sandoval county;

52. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct a power line for the White Rock chapter of the Navajo Nation in San Juan county;

53. thirty-five thousand dollars (\$35,000) to plan, design, construct and upgrade public facilities at the ceremonial grounds for the Mescalero Apache Tribe in Mescalero in Otero county;

54. one hundred eighty-four thousand dollars (\$184,000) to design, construct, repair, rehabilitate, install and equip improvements to the fish hatchery, including holding ponds, settling ponds and springs, for the Mescalero Apache Tribe in Mescalero in Otero county;

55. ninety-five thousand dollars (\$95,000) to plan, design, construct, equip and furnish a library conference room for the Jicarilla Apache Nation in Rio Arriba county;

56. one hundred fifty-five thousand dollars (\$155,000) to purchase firefighting equipment and trucks for the volunteer fire department at Ohkay Owingeh in Rio Arriba county;

57. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and equip renovations to the water and sewer system at the Pueblo of Santa Clara in Rio Arriba county;

58. one hundred thousand dollars (\$100,000) to construct a dormitory at Navajo preparatory school in Farmington in San Juan county;

59. nine thousand dollars (\$9,000) to purchase a trailer for the Huerfano chapter of the Navajo Nation in San Juan county;

60. forty thousand dollars (\$40,000) to construct a power line northwest and northeast of the Lake Valley chapter of the Navajo Nation in San Juan county;

61. seventy-two thousand dollars (\$72,000) to purchase and equip a road grader for the Little Water chapter of the Navajo Nation [~~in San Juan county~~]; *LINE-ITEM VETO*

62. ten thousand dollars (\$10,000) to renovate, improve and equip the warehouse at the Little Water chapter of the Navajo Nation in San Juan county;

63. thirty-five thousand dollars (\$35,000) to plan, design and construct bathroom additions for the Nageezi chapter of the Navajo Nation in San Juan county;

64. twenty-five thousand dollars (\$25,000) to plan, design and construct an addition to the Newcomb chapter of the Navajo Nation in San Juan county;

65. one hundred sixty-nine thousand dollars (\$169,000) to plan, design and construct an irrigation project in the Newcomb chapter of the Navajo Nation in San Juan county;

66. sixty-five thousand dollars (\$65,000) to plan, design, construct and equip a first-response building in the San Juan chapter of the Navajo Nation in San Juan county;

67. one hundred thousand dollars (\$100,000) to construct the home for women and children in Shiprock in San Juan county;

68. fifty thousand dollars (\$50,000) to purchase digital sign equipment for the Shiprock chapter of the Navajo Nation in San Juan county;

69. fifty thousand dollars (\$50,000) to purchase equipment for an irrigation system in the Shiprock chapter of the Navajo Nation in San Juan county;

70. thirty thousand dollars (\$30,000) to plan, design and construct a parking lot at the chapter house of the White Rock chapter of the Navajo Nation in San Juan county;

71. fifty thousand dollars (\$50,000) to plan, design, construct and equip renovations to the community center in the Pueblo of Cochiti in Sandoval county;

72. forty-five thousand dollars (\$45,000) to purchase, equip and furnish the Ko-Tyit Hahn center in the Pueblo of Cochiti in Sandoval county;

73. twenty-five thousand dollars (\$25,000) to construct a power line extension to the Kashakatuwo information booth at the Pueblo of Cochiti in Sandoval county;

74. one hundred fifty thousand dollars (\$150,000) to construct the expansion of the tribal administration community services building at the Pueblo of Jemez in Sandoval county;

75. one hundred fifty thousand dollars (\$150,000) to purchase and equip a bus for the head start program at the Pueblo of San Felipe in Sandoval county;

~~[76. eighty-two thousand dollars (\$82,000) to purchase laser leveling equipment for the Pueblo of San Felipe in Sandoval county;]LINE-ITEM VETO~~

77. one hundred thousand dollars (\$100,000) to plan, design and construct a wastewater recovery and treatment system at the Pueblo of San Felipe in Sandoval county;

78. thirty-five thousand dollars (\$35,000) to purchase and install information technology, including related equipment and furniture, for the five Sandoval Indian pueblos in the Pueblo of Santa Ana in Sandoval county;

79. twenty-four thousand dollars (\$24,000) to purchase and equip vehicles for the elderly program at the five Sandoval Indian pueblos in the Pueblo of Santa Ana in Sandoval county;

80. five thousand dollars (\$5,000) to purchase vehicles and equipment for the Pueblo of Santo Domingo in Sandoval county;

81. thirty-one thousand dollars (\$31,000) to plan, design and construct a wireless internet canopy, including radio antennas, at the Pueblo of Zia in Sandoval county;

82. ninety thousand dollars (\$90,000) to plan, design and construct a wellness center for the Santa Fe Indian school campus in Santa Fe county;

83. eighty-three thousand dollars (\$83,000) for improvements at the day school at the Pueblo of Nambe in Santa Fe county;

~~[84. one hundred thousand dollars (\$100,000) to plan, design, construct, install and equip the Poeh center museum, including information technology and related furniture, equipment and infrastructure, at the Pueblo of Pojoaque in Santa Fe county;]LINE-ITEM VETO~~

85. seventy-five thousand dollars (\$75,000) to construct and equip the learning center at the Pueblo of San Ildefonso in Santa Fe county;

86. fifty thousand dollars (\$50,000) to plan and design a wellness center at the Pueblo of San Ildefonso in Santa Fe county;

87. thirty thousand dollars (\$30,000) to repair the roof and make improvements to drainage and walls at the institute for American Indian arts museum in Santa Fe in Santa Fe county;

88. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for the Pueblo of Picuris in Taos county;

89. one hundred thousand dollars (\$100,000) to purchase and equip vehicles, including passenger vehicles, trucks and cars, for the Pueblo of Picuris in Taos county; and

90. twenty-five thousand dollars (\$25,000) to purchase and equip road maintenance equipment for the Pueblo of Taos in Taos county.

Chapter 92 Section 56 Laws 2008

Section 56. DEPARTMENT OF INFORMATION TECHNOLOGY PROJECT-- GENERAL FUND.--One million dollars (\$1,000,000) is appropriated from the general fund to the department of information technology for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to purchase a computing system, contingent on the state receiving an award from the national science foundation to develop supercomputing systems.

Chapter 92 Section 57 Laws 2008

Section 57. INTERSTATE STREAM COMMISSION PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the interstate stream commission for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. twenty-eight thousand five hundred dollars (\$28,500) to construct and install ditch bank gates south of Raymac road to interstate 25 for the middle Rio Grande conservancy district in the south valley of Bernalillo county;

2. seventy thousand dollars (\$70,000) to plan, design and construct improvements to the Cebolletita irrigation system for the Cebolletita acequia association in Cibola county;

3. forty thousand dollars (\$40,000) to plan, design and construct improvements to a reservoir in the Seboyeta community irrigation system acequia in Cibola county;

4. ten thousand dollars (\$10,000) to plan, design and construct a pipeline for the Antelope Valley irrigation district in Colfax county;

5. seventy-eight thousand dollars (\$78,000) to design and construct a diversion dam for, and to repair infrastructure to, the West Puerto de Luna acequia in Puerto de Luna in Guadalupe county;

6. twenty-five thousand dollars (\$25,000) for infrastructure improvements and repairs to the Labadie acequia and reservoir in Santa Rosa in Guadalupe county;

7. fifteen thousand dollars (\$15,000) to plan, design, renovate, repair and improve, including beaver relocation, the acequia de Canoncito de La Cueva in Canoncito de Mora in Mora county;

~~[8. ten thousand dollars (\$10,000) to plan, design and install improvements, including a liner, pipelines and gates, to the acequia de la Aguila in Mora county;~~

~~9. ten thousand dollars (\$10,000) to construct headgates and make improvements to the acequia de los Lunas in Chacon in Mora county;]~~*LINE-ITEM VETO*

10. ten thousand dollars (\$10,000) to plan, design and construct improvements, including a river crossing, lining, diversion and outlet, for the acequia de Rainsville norte in Mora county;

~~[11. ten thousand dollars (\$10,000) to make improvements to the acequia dam and acequia for the acequia del Lado Sur de Golondrinas association in Mora county;]~~*LINE- ITEM VETO*

12. ten thousand dollars (\$10,000) to design, construct, purchase and install improvements and a dam for the Lovato ditch in Holman in Mora county;

~~[13. ten thousand dollars (\$10,000) to make improvements to the north Golondrinas community ditch in Mora county;]~~*LINE-ITEM VETO*

14. ten thousand dollars (\$10,000) to plan, design and construct a pipeline at la acequia del Alto Sur de Mora in Cleveland in Mora county;

15. twenty thousand dollars (\$20,000) to plan, design and construct improvements to the acequia de los Espinosas in Chimayo in Rio Arriba and Santa Fe counties;

16. seventy-five thousand dollars (\$75,000) to plan, design, construct and improve the acequia madre for the acequia del Llano and acequia de Santa Cruz in the Espanola area of Rio Arriba and Santa Fe counties;

17. ten thousand dollars (\$10,000) to plan, design and construct improvements to a water control structure for the acequia de los Gallegos-Ojo Caliente ditch association in Rio Arriba county;

18. twenty thousand dollars (\$20,000) to purchase and install improvements, including pipe, in the Barranco community ditch in Rio Arriba county;

19. ten thousand dollars (\$10,000) to plan, design and construct a water banking and conservation program for acequias in the lower Rio Chama valley,

including planning, designing and mapping, for the Rio Chama acequia association in Rio Arriba county;

20. twenty-five thousand dollars (\$25,000) to make improvements to the acequia de Los Ranchos in Chimayo in Santa Fe and Rio Arriba counties;

~~[21. twenty-five thousand dollars (\$25,000) to construct, purchase and install improvements to the acequia de La Otra Vanda and acequia de Los Barriales in Cordova in Rio Arriba county;]~~LINE-ITEM VETO

22. fifteen thousand dollars (\$15,000) to plan, design, construct and line the acequia de la Posecion in Truchas in Rio Arriba county;

23. twenty-five thousand dollars (\$25,000) to purchase, install and construct improvements to the acequia del Llano Abeyta in Truchas in Rio Arriba county;

24. eleven thousand dollars (\$11,000) to plan, design, construct and repair the Jackson ditch acequia in San Juan county;

25. ten thousand dollars (\$10,000) to plan, design and construct improvements to the acequia de Molino in San Miguel county;

~~[26. forty-two thousand dollars (\$42,000) to plan, design and construct improvements to the Ancon del Gato acequia in San Miguel county;]~~LINE-ITEM VETO

27. forty thousand dollars (\$40,000) to plan, design and construct an acequia lining for the east Pecos ditch association in San Miguel county;

28. forty thousand dollars (\$40,000) to plan, design, construct and pay off a loan for acequia improvements to El Cerrito ditch in San Miguel county;

~~[29. ten thousand dollars (\$10,000) to construct improvements to acequias in La Fraqua Puertecito y Saises water irrigation association in San Miguel county;]~~

~~30. ten thousand dollars (\$10,000) to plan, design and construct improvements, including lining, to the San Augustine community ditch in San Miguel county;]~~LINE-ITEM VETO

31. thirty thousand dollars (\$30,000) to plan, design, construct, repair and demolish acequia structures for the west Pecos acequia association in San Miguel county;

32. ten thousand dollars (\$10,000) to construct improvements to acequias in Villanueva in San Miguel county;

33. ten thousand dollars (\$10,000) to construct improvements to the Villanueva north side irrigation ditch in San Miguel county;

34. fifty thousand dollars (\$50,000) to plan, design and improve acequias in the Jemez Springs area of Sandoval county;

35. fifteen thousand dollars (\$15,000) to plan, design, construct and improve mother ditch number 1 in La Jara in Sandoval county;

36. twenty thousand dollars (\$20,000) to plan, design, construct and equip renovations to the diversion dam and the ditch for the Nacimiento community ditch association in Sandoval county;

37. fifty thousand dollars (\$50,000) to make improvements to acequias in the Rio Jemez basin, including the east and west laterals, upper west ditch, main Jemez Springs ditch, south upper ditch, San Ysidro ditch and Canyon ditch, in Sandoval county;

38. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements to La Jara acequia in La Jara in Sandoval county;

39. fifteen thousand dollars (\$15,000) to plan, design, construct and install improvements to the acequia de La Cienega in Santa Fe county;

~~[40. ten thousand dollars (\$10,000) to plan, design, replace, install and construct improvements, including an arroyo crossing, culverts and ditch liners, for the acequia de los Chupaderos in Santa Fe county;]~~ *LINE-ITEM VETO*

41. thirty-five thousand dollars (\$35,000) to plan, design and construct a water collection system for the acequia de los Indios in El Rancho in Santa Fe county;

42. twenty thousand dollars (\$20,000) to plan, design ~~[and construct]~~ improvements, including flood gates and water diversion structures, to the acequia del Rio in Cuyamungue in Santa Fe county; *LINE-ITEM VETO*

43. twenty-five thousand dollars (\$25,000) to design and construct improvements and repairs, including sedimentation ponds, to the Nambe dam in the Pojoaque valley irrigation district in Santa Fe county;

44. ten thousand dollars (\$10,000) to repair and replace water gates and linings around gates for the acequia de Llano in Nambe in Santa Fe county;

45. thirty-five thousand dollars (\$35,000) to design, construct and install a dam, headgate and dike for the acequia de los Gardunos in Nambe in Santa Fe county;

46. twenty-five thousand dollars (\$25,000) to purchase, install and construct improvements and repairs to the acequias Nueva, Llano and Comunidad in Nambe in Santa Fe county;

47. thirty-five thousand dollars (\$35,000) to design and construct improvements to the acequia Barranco Alto, including headgates and culverts, in Pojoaque in Santa Fe county;

~~48. twenty five thousand dollars (\$25,000) to plan, design and construct improvements to the irrigation ditch for Contreras and La Joya in Socorro county;~~

~~49. ten thousand dollars (\$10,000) to plan, design and construct improvements to the acequia de la Vienta de Tiadoro in Taos county;]~~ *LINE-ITEM VETO*

50. ten thousand dollars (\$10,000) to plan, design and construct improvements, including water diversion structures, to the acequia del Marrano and the acequia de Blas Chavez in Los Cordovas in Taos county;

51. twenty thousand dollars (\$20,000) to plan, design, construct, repair, excavate and install improvements for the acequia del Monte de Rio Chiquito in Taos county;

52. ten thousand dollars (\$10,000) for improvements to the acequia de la Venita de Teodoro Romero in Taos county;

~~53. ten thousand dollars (\$10,000) to construct acequia, reservoir and dam improvements for the acequia madre and acequia del Monte del Rio Chiquito in the Talpa area in Taos county;~~

~~54. ten thousand dollars (\$10,000) to plan, design and construct piping for the acequia Madre del Canon in Llano de San Juan in Taos county;]~~ *LINE-ITEM VETO*

55. twenty thousand dollars (\$20,000) to purchase water rights for the acequia madre del Rio Lucero y Arroyo Seco and the upper and lower Manuel Andres Trujillo ditches in Taos county;

56. forty-five thousand dollars (\$45,000) to plan, design, construct and improve a diversion dam and headgates for the acequias del Llano de San Juan Nepomuceno, Chamisal and Ojito in Taos county;

57. ten thousand dollars (\$10,000) to plan, design and repair the Cuchilla ditch in Des Montes in Taos county;

58. ten thousand dollars (\$10,000) to plan, design and construct acequia improvements and repairs, including headgates, to el Molino acequia in Ranchitos in Taos county;

59. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements, including a pipeline, to the Rio Costilla association ditch in Taos county; and

60. fifty thousand dollars (\$50,000) to design and construct a water storage tank and delivery system in Cerro in Taos county.

Chapter 92 Section 58 Laws 2008

Section 58. LEGISLATIVE COUNCIL SERVICE PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the legislative council service for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. twenty-five thousand dollars (\$25,000) to purchase and install a civilian conservation corps worker statue and pedestal on the grounds of the state capitol in Santa Fe in Santa Fe county; and

~~2. twenty thousand dollars (\$20,000) for equipment and improvements to the television broadcast studio in the state capitol in Santa Fe in Santa Fe county.]~~*LINE-ITEM VETO*

Chapter 92 Section 59 Laws 2008

Section 59. LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the local government division of the department of finance and administration for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at a shelter for homeless women and families in Bernalillo county;

2. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, renovate and improve the city-owned Altamont little league facility, including improvements to comply with the provisions of the Americans with Disabilities Act of 1990, in Bernalillo county;

3. twelve thousand five hundred dollars (\$12,500) for equipment and improvements to the site, facility and field, including improvements to comply with the provisions of the Americans with Disabilities Act of 1990 and improvements to the concession stand and office facility, at the county-owned Atrisco valley little league in Bernalillo county;

4. fifty thousand dollars (\$50,000) to construct a sheriff, fire and emergency operation center in the east mountain area of Bernalillo county;
5. twenty thousand dollars (\$20,000) to purchase automated license plate readers for the county sheriff's office in Bernalillo county;
6. forty thousand dollars (\$40,000) to plan, design, construct, improve and equip a little league field in Bernalillo county;
7. five thousand dollars (\$5,000) to construct improvements and purchase equipment, including a tractor, for the county-owned South Valley little league site in Bernalillo county;
8. twenty-five thousand dollars (\$25,000) to renovate and equip the Paradise Hills swimming pool facility in Bernalillo county;
9. fifteen thousand dollars (\$15,000) to renovate and equip the district 1 public health office facility in Bernalillo county;
10. seventy-five thousand dollars (\$75,000) to plan, design, equip and furnish improvements, including heating, ventilation and air conditioning, plumbing, sports field and parking, to the Raymond G. Sanchez community center and site in Bernalillo county;
11. thirty thousand dollars (\$30,000) to purchase and equip a patrol vehicle for the sheriff's department in Bernalillo county;
12. ten thousand dollars (\$10,000) to plan, design, construct, landscape and make improvements at the South Valley little league site in Bernalillo county;
13. fifty thousand dollars (\$50,000) to plan, design, construct and equip the Fisher and Smith memorial gymnasium at Vista Grande community center in Bernalillo county;
14. thirty-five thousand dollars (\$35,000) to purchase and renovate a warehouse and distribution center in Bernalillo county to expand services to food banks and agencies statewide;
15. one hundred thousand dollars (\$100,000) to purchase the Anderson fields property in Los Ranchos de Albuquerque in Bernalillo county;
16. ten thousand dollars (\$10,000) to construct, purchase and install interior and exterior improvements to the South Valley library in Bernalillo county;

17. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and equip a multipurpose family services center in the south valley in Bernalillo county;

18. twenty thousand dollars (\$20,000) to plan, design, construct and equip the spay-neuter clinic in the south valley in Bernalillo county;

~~[19. seventy thousand dollars (\$70,000) to design, construct, purchase and install improvements, exhibits and furniture at the Tijeras pueblo ruins in Bernalillo county;]~~ *LINE-ITEM VETO*

20. fifty-five thousand dollars (\$55,000) to plan, design, construct, purchase, equip, furnish and install improvements to the library in the Alamosa multipurpose center in Albuquerque in Bernalillo county;

21. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and improve, including turf removal and replacement, at Academy Hills park in Albuquerque in Bernalillo county;

22. five thousand dollars (\$5,000) to plan Academy Hills park in Albuquerque in Bernalillo county;

23. seventy-five thousand dollars (\$75,000) to plan, design and construct improvements to the Alameda little league site in Albuquerque in Bernalillo county;

24. eighty thousand dollars (\$80,000) to plan, design and construct improvements to Alamosa park in Albuquerque in Bernalillo county;

25. seventy thousand dollars (\$70,000) to plan, design and construct fencing for the Alamosa skate park in Albuquerque in Bernalillo county;

26. seventy-five thousand dollars (\$75,000) to plan, design, construct and install roads, sidewalks, street lights and related infrastructure, including water lines and sewers, at the city-owned Arbolera de Vida community in Albuquerque in Bernalillo county;

27. sixty-nine thousand dollars (\$69,000) to plan, design and construct an Asian American cultural center in city council district 6 in Albuquerque in Bernalillo county;

28. twenty-five thousand dollars (\$25,000) to plan, design, construct and improve Barelvas memorial plaza, including landscaping and a fountain, in Albuquerque in Bernalillo county;

29. twenty thousand dollars (\$20,000) to plant trees on city-owned land, medians and roadways in Albuquerque in Bernalillo county;

30. twenty thousand dollars (\$20,000) to plant trees on city-owned land, medians and roadways in house district 13 in Albuquerque in Bernalillo county;

~~[31. seventeen thousand five hundred dollars (\$17,500) to purchase and plant trees in senate district 14 in Albuquerque in Bernalillo county;~~

~~32. twenty thousand dollars (\$20,000) to purchase equipment for a bilingual, multicultural art and theater education program in Albuquerque in Bernalillo county;~~

~~33. twenty-five thousand dollars (\$25,000) to purchase a community art center facility in Albuquerque in Bernalillo county;]LINE-ITEM VETO~~

34. twenty-two thousand dollars (\$22,000) to construct a memorial to New Mexicans killed in combat during operation enduring freedom and during operation Iraqi freedom, in Afghanistan and Iraq, in Albuquerque in Bernalillo county;

35. forty thousand dollars (\$40,000) to plan, design and construct the cultural center of the southwest in Albuquerque in Bernalillo county;

36. one hundred five thousand dollars (\$105,000) to acquire land for, plan, design, construct, purchase, renovate, equip and furnish a building for use by a modern dance organization serving low-income, disabled and incarcerated youth and adults in Albuquerque in Bernalillo county;

37. one hundred thousand dollars (\$100,000) to purchase land for and plan, design and construct a deaf culture multipurpose center in Albuquerque in Bernalillo county;

38. forty-six thousand five hundred dollars (\$46,500) to purchase and install dental equipment and information technology, including related equipment, furniture and infrastructure, in house district 13 in Albuquerque in Bernalillo county;

39. ninety-five thousand dollars (\$95,000) to plan, design, construct, renovate, upgrade and equip a multipurpose center for persons with disabilities in Albuquerque in Bernalillo county;

40. sixty thousand dollars (\$60,000) to purchase and equip vans for a multipurpose center for people with disabilities in Albuquerque in Bernalillo county;

~~[41. fifty thousand dollars (\$50,000) to plan, design and construct sidewalks in the Wells Park, Sawmill, downtown neighborhood association and Old Town areas in senate district 13 in Albuquerque in Bernalillo county;]LINE- ITEM VETO~~

42. twenty thousand dollars (\$20,000) to purchase and install recreation equipment at the East San Jose community center in Albuquerque in Bernalillo county;

43. sixty thousand five hundred dollars (\$60,500) to plan, design, construct, purchase, equip and install improvements, including shade structures and dugouts, bleachers and field equipment, for the city-owned Eastdale little league site in Albuquerque in Bernalillo county;

~~[44. fifteen thousand dollars (\$15,000) to plan, design and construct improvements, including lights, batting cages, playground equipment and fencing, for the city-owned Eastdale little league site in Albuquerque in Bernalillo county;]~~LINE-ITEM VETO

45. seventy thousand dollars (\$70,000) to plan, design and equip Eastdale little league fields with artificial turf in Albuquerque in Bernalillo county;

46. one hundred thirty-four thousand dollars (\$134,000) to plan, design, construct, furnish, equip and improve the eastside animal shelter in Albuquerque in Bernalillo county;

47. sixty-six thousand five hundred dollars (\$66,500) to furnish and equip the spay and neuter clinic of the eastside animal shelter in Albuquerque in Bernalillo county;

48. twenty thousand dollars (\$20,000) to plan, design and construct a mezzanine in the Erna Fergusson library in Albuquerque in Bernalillo county;

~~[49. five thousand dollars (\$5,000) to renovate the Ernie Pyle library in Albuquerque in Bernalillo county;]~~LINE-ITEM VETO

50. one hundred thirty thousand dollars (\$130,000) to purchase fitness equipment and to purchase and install information technology, including related equipment, furniture and infrastructure, for youth in Albuquerque in Bernalillo county;

51. one hundred fifty-nine thousand dollars (\$159,000) to acquire, plan, design, expand, improve and equip a facility for flamenco arts and education in Albuquerque in Bernalillo county;

52. one hundred fifty-five thousand dollars (\$155,000) to plan, design, construct, purchase, renovate and equip a facility and land for the collection and distribution of food for the needy of greater Albuquerque in Albuquerque in Bernalillo county;

53. sixty-seven thousand dollars (\$67,000) to plan, design and reconstruct Garfield park in Albuquerque in Bernalillo county;

54. twenty thousand dollars (\$20,000) to purchase and install improvements, including playground equipment, at Goodrich park in Albuquerque in Bernalillo county;

55. one hundred thirty-five thousand dollars (\$135,000) to plan, design, construct, purchase, equip and furnish a building for a holocaust and intolerance museum in Albuquerque in Bernalillo county;

56. fifteen thousand dollars (\$15,000) to purchase and install information technology, including related equipment, furniture and infrastructure, at a city-owned center for homeless children and families in Albuquerque in Bernalillo county;

57. sixty-five thousand dollars (\$65,000) for planning and for purchasing and installing furniture and equipment, including surveillance equipment, fencing and an intercom system, at the Albuquerque Indian center in Albuquerque in Bernalillo county;

58. sixty thousand dollars (\$60,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for use by an international standards organization-certified provider specializing in employment of persons with disabilities in Albuquerque in Bernalillo county;

59. thirty-five thousand dollars (\$35,000) to plan, design and construct improvements to a building at Jerry Cline park in Albuquerque in Bernalillo county;

60. twenty-five thousand dollars (\$25,000) to design and construct improvements, including resurfacing and lighting, at the tennis courts at Jerry Cline park in Albuquerque in Bernalillo county;

~~[61. forty thousand dollars (\$40,000) to plan, design, construct, install and improve the Juan Tabo library in Albuquerque in Bernalillo county;]~~LINE-ITEM VETO

62. forty thousand dollars (\$40,000) to plan, design, construct and repair the Kimo theater in Albuquerque in Bernalillo county;

63. seventy-five thousand dollars (\$75,000) to construct improvements to the city-owned Ladera golf course in Albuquerque in Bernalillo county;

64. twenty thousand dollars (\$20,000) to plan, design, purchase and construct renovations to the Lobo baseball field in compliance with the Americans with Disabilities Act of 1990, including a concession building, in Albuquerque in Bernalillo county;

65. five thousand dollars (\$5,000) to purchase equipment for the Loma Linda community center in Albuquerque in Bernalillo county;

66. seventy thousand dollars (\$70,000) to renovate the Lomas-Tramway branch library in Albuquerque in Bernalillo county;

~~[67. fifteen thousand dollars (\$15,000) to purchase and install martial arts equipment, camera and information technology, including related equipment,~~

~~furnishings and infrastructure, at the Los Padillas community center in Albuquerque in Bernalillo county;]~~*LINE-ITEM VETO*

68. twenty-five thousand dollars (\$25,000) to replace the roof of the main branch of the Albuquerque public library in Bernalillo county;

69. sixty thousand dollars (\$60,000) to plan, design, construct and equip the Manzano Mesa multigenerational center in Albuquerque in Bernalillo county;

70. forty-four thousand dollars (\$44,000) to purchase equipment for use in family and community services martial arts programs in Albuquerque in Bernalillo county;

71. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements to the Martineztown park and walkway in Albuquerque in Bernalillo county;

72. ten thousand dollars (\$10,000) to design and construct improvements to the mid region council of governments building in Albuquerque in Bernalillo county;

73. sixty thousand dollars (\$60,000) to plan, design, construct and renovate, including a gift shop, a multipurpose center for the disabled in Albuquerque in Bernalillo county;

74. five thousand dollars (\$5,000) to purchase recreation equipment for the Mountain View community center in Albuquerque in Bernalillo county;

75. sixty-five thousand dollars (\$65,000) to plan, design, renovate and construct the Albuquerque museum of art and history in Albuquerque in Bernalillo county;

76. one hundred eighty-seven thousand five hundred dollars (\$187,500) to plan, design and construct external infrastructure at the national museum of nuclear science and history in Albuquerque in Bernalillo county;

77. fifty thousand dollars (\$50,000) to purchase equipment for the New Mexico prep football program in Albuquerque in Bernalillo county;

~~[78. ten thousand dollars (\$10,000) to design and construct an art piece for the New Mexico veterans' memorial on Louisiana boulevard in Albuquerque in Bernalillo county;]~~*LINE-ITEM VETO*

79. eighty thousand dollars (\$80,000) to plan, design, test and remove contaminated material from the old Santa Fe rail yards site and prepare the site for redevelopment in Albuquerque in Bernalillo county;

~~[80. four thousand dollars (\$4,000) to plan, design, construct, install and purchase equipment and a building for the open space division of Albuquerque in Bernalillo county;]LINE-ITEM VETO~~

81. one hundred thirty-three thousand dollars (\$133,000) to purchase buses for the Paradise Hills community center [in Albuquerque] in Bernalillo county;
LINE-ITEM VETO

82. ten thousand dollars (\$10,000) to plan and design a park on Casa Verde NW in Albuquerque in Bernalillo county;

83. twenty thousand dollars (\$20,000) to purchase and install automated license plate readers for the Albuquerque police department in Albuquerque in Bernalillo county;

84. fifty thousand dollars (\$50,000) to purchase, install and equip portable classroom buildings for homeless residents of Albuquerque in Bernalillo county;

85. seventy thousand dollars (\$70,000) to plan, design, construct and install a landmark public art work in Albuquerque in Bernalillo county;

86. ten thousand dollars (\$10,000) to plan, design, construct and install a public sculpture or mural in southeast Albuquerque in Bernalillo county;

87. sixty thousand dollars (\$60,000) to plan and design the Rancho Encantado park on the southwest corner of Minle and Quaker Heights in Albuquerque in Bernalillo county;

88. thirty thousand dollars (\$30,000) to plan, design and construct trails along the Rio Grande bosque in Albuquerque in Bernalillo county;

89. twenty-five thousand dollars (\$25,000) to construct, equip and furnish an insectarium and insect laboratory at the Rio Grande botanical gardens in Albuquerque in Bernalillo county;

90. ninety-three thousand dollars (\$93,000) to plan, design and construct improvements to Robinson park in Albuquerque in Bernalillo county;

91. sixty thousand dollars (\$60,000) to plan, design and construct improvements to the Sandia science and technology park in Albuquerque in Bernalillo county;

92. eighty-four thousand dollars (\$84,000) to plan, design, construct and renovate the Second Chance substance abuse and alcohol treatment rehabilitation westside facility in Albuquerque in Bernalillo county;

93. thirty thousand dollars (\$30,000) to plan, design and construct sidewalks in the Wells Park, Sawmill, downtown neighborhood association and Old Town areas of Albuquerque in Bernalillo county;

94. sixty thousand dollars (\$60,000) to refurbish and repair the south Broadway library, including waterproofing exterior masonry walls and the purchase and installation of furniture, equipment and lighting upgrades, in Albuquerque in Bernalillo county;

95. twenty thousand dollars (\$20,000) to restucco the exterior of the special collections library in Albuquerque in Bernalillo county;

96. twenty-five thousand dollars (\$25,000) to plan, design, construct and improve Sunduro South park in Albuquerque in Bernalillo county;

97. ninety-five thousand dollars (\$95,000) to plan, design and construct renovations to the heating, ventilation and air conditioning system and the children's restrooms, including improvements that comply with the provisions of the Americans with Disabilities Act of 1990, at Taylor Ranch library in Albuquerque in Bernalillo county;

98. twenty-five thousand dollars (\$25,000) to plan, design, construct and purchase improvements to the Thomas Bell community center in Albuquerque in Bernalillo county;

99. twenty-five thousand dollars (\$25,000) to purchase vehicles for Thomas Bell recreation center in Albuquerque in Bernalillo county;

100. twenty thousand dollars (\$20,000) to plan and design the expansion of the Thomas Bell satellite facility in Albuquerque in Bernalillo county;

101. thirty thousand dollars (\$30,000) to plan, design and construct renovations to the city-owned Thunderbird little league field and to improve the facility to comply with the Americans with Disabilities Act of 1990 in Albuquerque in Bernalillo county;

102. one hundred ten thousand dollars (\$110,000) to plan and design a transportation museum at the Atchison, Topeka and Santa Fe rail yards in Albuquerque in Bernalillo county;

~~103. ten thousand dollars (\$10,000) to plan, design, construct and install a sculpture in the Trumbull international sculpture garden in Albuquerque in Bernalillo county;~~ *LINE-ITEM VETO*

104. twenty-five thousand dollars (\$25,000) for reforestation, including pruning and removing existing trees and the planting of new trees, in the University Heights area of Albuquerque in Bernalillo county;

105. twenty-five thousand dollars (\$25,000) to plan, design and construct the Ventana Ranch community park in Albuquerque in Bernalillo county;

106. fifty thousand dollars (\$50,000) to acquire open space land at Vista del Norte in Albuquerque in Bernalillo county;

107. five thousand dollars (\$5,000) to upgrade the camera security system at the West Mesa community center in Albuquerque in Bernalillo county;

~~108. fifty thousand dollars (\$50,000) to plan and design a library in the Westgate area of Albuquerque in Bernalillo county;~~ *LINE-ITEM VETO*

109. one hundred thousand dollars (\$100,000) for improvements to Westgate little league park in house district 13 in Albuquerque in Bernalillo county;

110. forty thousand dollars (\$40,000) to plan, design, construct and equip improvements at the city-owned Zia little league complex in Albuquerque in Bernalillo county;

111. three thousand dollars (\$3,000) to plan, design and construct an agricultural demonstration project in Bernalillo county;

112. twenty-one thousand dollars (\$21,000) to plan, design, construct, repair, purchase and install the roofs and dental equipment at the community dental Hinkle clinic in Albuquerque in Bernalillo county;

113. eighty-five thousand dollars (\$85,000) to purchase land for, plan, design, construct, renovate and purchase a facility for the county-owned Corinne Wolfe children's services and advocacy center in Bernalillo county;

~~114. seventy-five thousand dollars (\$75,000) to plan, design, construct and improve the Hubbell House facility in the south valley of Albuquerque in Bernalillo county;~~ *LINE-ITEM VETO*

115. one hundred seven thousand dollars (\$107,000) to plan, design, construct, furnish and equip renovations, including a fire suppression system and safety and security items, for the county juvenile detention and youth services center kitchen in Albuquerque in Bernalillo county;

116. forty-four thousand dollars (\$44,000) to purchase, plan, design, construct, equip and furnish a Dr. Martin Luther King, Jr., memorial and center in Albuquerque in Bernalillo county;

~~117. ten thousand dollars (\$10,000) to purchase equipment to generate and distribute media in Bernalillo county;~~

~~118. four thousand dollars (\$4,000) to purchase, construct, renovate and furnish a therapeutic family services center in the southeast heights of Albuquerque in Bernalillo county;~~

~~119. ten thousand dollars (\$10,000) to plan, design, purchase land for, construct, equip and furnish an addition to the county-owned YMCA building in Albuquerque in Bernalillo county;]~~ *LINE-ITEM VETO*

120. forty thousand dollars (\$40,000) to acquire land for a youth sports park at the intersection of interstate 40 and interstate 25 in Albuquerque in Bernalillo county;

121. one hundred forty-five thousand dollars (\$145,000) to furnish, equip, purchase and install information technology, including related equipment, furniture and infrastructure, for a family center in the south valley of Albuquerque in Bernalillo county;

122. fourteen thousand two hundred thirty dollars (\$14,230) to plan, design and construct landscaping for a family center in the south valley of Albuquerque in Bernalillo county;

123. one hundred fifteen thousand dollars (\$115,000) to plan, design, construct, equip, purchase and install renovations, including a heating, ventilation and air conditioning system, in a county-owned therapeutic family services center in the south valley in Bernalillo county;

124. seventy-five thousand dollars (\$75,000) to plan, design, construct, renovate and purchase equipment, furniture and landscaping for south valley health commons in Albuquerque in Bernalillo county;

125. seventy thousand dollars (\$70,000) to plan, design and construct improvements to the village community center barn in Los Ranchos de Albuquerque in Bernalillo county;

126. one hundred seventy-five thousand dollars (\$175,000) to purchase land adjacent to Los Poblanos fields for open space in Los Ranchos de Albuquerque in Bernalillo county;

127. one hundred thousand dollars (\$100,000) to purchase and upgrade road maintenance equipment, including a tractor and related implements, for Los Ranchos de Albuquerque in Bernalillo county;

128. twenty-five thousand dollars (\$25,000) to purchase and install lighting, furniture and signage improvements at the East Mountain library in Tijeras in Bernalillo county;

129. ten thousand dollars (\$10,000) to purchase and install emergency-rescue equipment and mobile storage in Quemado in Catron county;

130. thirty-five thousand dollars (\$35,000) to plan, design and construct a community outdoor recreation area, including a rodeo arena, shooting range, bicycle trail, walking trail and picnic area, in Quemado in Catron county;

131. one hundred fifteen thousand dollars (\$115,000) to design, construct, equip and furnish additions to the Catron county medical center in Reserve in Catron county;

132. sixty thousand dollars (\$60,000) to plan, design, renovate and construct the cultural and educational center, including landscaping and exterior lighting, in Chaves county;

133. forty thousand dollars (\$40,000) to purchase, install and replace automatic defibrillation units for Chaves county;

134. sixty thousand dollars (\$60,000) to plan, design, construct, equip and furnish a fire station for the Midway volunteer fire department in Chaves county;

135. forty thousand dollars (\$40,000) to plan, design, construct and equip renovations to the Dunken fire station and site, including an addition, in Chaves county;

136. fifty thousand dollars (\$50,000) to plan, design and construct a fire station and equip the fire department in Penasco in Chaves county;

~~[137. forty thousand dollars (\$40,000) to acquire land for and plan, design, construct, equip, furnish and make improvements to the Rio Feliz volunteer fire station in Chaves county;]~~ *LINE-ITEM VETO*

138. one hundred fifty thousand dollars (\$150,000) to purchase and install a lighting system and bleachers at the sports complex in Dexter in Chaves county;

139. one hundred seventy thousand dollars (\$170,000) to renovate, construct, equip and furnish the town hall, including improvements to comply with the provisions of the Americans with Disabilities Act of 1990, in Hagerman in Chaves county;

140. seventy thousand dollars (\$70,000) to plan, design, construct, renovate, equip and furnish the

county-owned St. Mary's complex in Roswell in Chaves county;

141. one hundred twenty-five thousand dollars (\$125,000) to plan, design, renovate and construct improvements, including exterior improvements, to the Chihuahuaita community center in Roswell in Chaves county;

142. fifteen thousand dollars (\$15,000) to purchase a power generator for the Cielo Grande sports complex in Roswell in Chaves county;

143. twenty-four thousand dollars (\$24,000) to plan, design and construct improvements, including turf repair, for the Cielo Grande sports complex in Roswell in Chaves county;

144. fifty thousand dollars (\$50,000) to purchase, install, construct and furnish playground equipment for Enchanted Lands park in Roswell in Chaves county;

145. one hundred eighty-five thousand dollars (\$185,000) to remove and replace the roof on the Roswell museum and art center in Roswell in Chaves county;

146. twenty thousand dollars (\$20,000) to plan, design, construct and renovate the Roswell museum and art center in Roswell in Chaves county;

147. two hundred seventy thousand dollars (\$270,000) to purchase, plan, design, construct, renovate, furnish and equip a building for the county-owned Roswell Refuge shelter in Roswell in Chaves county;

~~[148. fifty thousand dollars (\$50,000) to plan, design and construct the expansion of the Spring River municipal golf course in Roswell in Chaves county;]~~ *LINE-ITEM VETO*

149. ten thousand dollars (\$10,000) to plan, design, construct, equip and improve the Roswell Square park in Roswell in Chaves county;

150. one hundred forty thousand dollars (\$140,000) to plan, design, construct, purchase, install, furnish and landscape buildings and improvements, including fencing, at the working mothers' day nursery in Roswell in Chaves county;

151. twenty-five thousand dollars (\$25,000) to plan, design, repair, construct and equip improvements to the Pioneer Memorial Park cemetery in Cibola county;

152. forty thousand dollars (\$40,000) to plan, design, renovate, expand, landscape and construct the Lobo Canyon volunteer fire and rescue station in Cibola county;

~~[153. five thousand dollars (\$5,000) to plan, design and construct, including site preparation, an administrative technology center for the Pine Hill schools in Cibola county;~~

~~154. thirty thousand dollars (\$30,000) to plan, design and construct, including site preparation, a kitchen addition for the Pine Hill schools in Cibola county;]LINE- ITEM VETO~~

155. forty thousand dollars (\$40,000) to purchase, plan, design, construct, install, equip and furnish improvements, including a building, a garage, fencing and security cameras, for the Bluewater Acres domestic water users association in Cibola county;

156. forty-five thousand dollars (\$45,000) to purchase former land grant lands for the Cubero land grant in Cibola county; provided that the appropriation is contingent upon the community land grant-merced complying with the provisions of Chapter 49, Article 1 NMSA 1978 and the Audit Act;

157. one hundred sixty-five thousand dollars (\$165,000) to plan, design, renovate and construct additions and improvements, including drainage, to the district court and county building in Grants in Cibola county;

~~[158. ten thousand dollars (\$10,000) to purchase and install a storage shed and to plan, design and construct landscaping improvements for the county-owned family center in Grants in Cibola county;]LINE-ITEM VETO~~

159. fifty thousand dollars (\$50,000) to plan, design and construct the plaza, courthouse and courthouse complex, including improvements, in Grants in Cibola county;

160. sixty thousand dollars (\$60,000) to purchase land and fencing, including installation, for the Cibola arts building in Grants in Cibola county;

161. sixty thousand dollars (\$60,000) to plan, design, renovate and furnish a domestic violence shelter in Grants in Cibola county;

162. forty thousand dollars (\$40,000) to plan, design and construct a pavilion for the fire and ice park in Grants in Cibola county;

163. thirty thousand dollars (\$30,000) to plan, design, renovate and equip a public library in Grants in Cibola county;

164. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct a multipurpose center in Milan in Cibola county;

165. fifteen thousand dollars (\$15,000) to plan, design, construct, equip and furnish an addition to the mental health facility in Colfax county;

166. one hundred twenty-five thousand dollars (\$125,000) to purchase and install electronic and security systems at the county judicial center in Raton in Colfax county;

167. five thousand dollars (\$5,000) to plan, design, construct and equip an expansion to the clinic, including water and sewer line installation, landscaping, parking area improvements and signage, in the south central Colfax county special hospital district in Angel Fire in Colfax county;

168. ten thousand dollars (\$10,000) to plan, design and construct an expansion, including a dining room, activities room and bathrooms, at the Colfax general

long-term care facility in the south central Colfax county special hospital district in Springer in Colfax county;

169. fifteen thousand dollars (\$15,000) to plan, design, renovate and equip the community center, including installation of a heating, ventilation and air conditioning system, in Springer in Colfax county;

170. fifteen thousand dollars (\$15,000) to plan, design, construct, purchase and renovate the Springer little league baseball field, including bleachers, a concession stand, a press box, lights, poles and an electrical system, in Springer in Colfax county;

171. ten thousand dollars (\$10,000) to plan, design and construct a veterans' memorial, including related fixtures, in Springer in Colfax county;

172. forty thousand dollars (\$40,000) to purchase and equip a water tender for the volunteer fire department in Springer in Colfax county;

173. twenty thousand dollars (\$20,000) to renovate and improve the county fairgrounds, including the animal barns, in Curry county;

174. fifty thousand dollars (\$50,000) to purchase vehicles and equipment for the road department in Curry county;

~~[175. three hundred fifty thousand dollars (\$350,000) to plan, design and construct a communications and administration building, including demolition and renovation, in Clovis in Curry county;]LINE-ITEM VETO~~

176. twenty thousand dollars (\$20,000) to purchase, construct and furnish refrigerator and freezer units for a food bank in Clovis in Curry county;

177. seventy thousand dollars (\$70,000) to purchase and renovate a building for the region 4 housing authority in Clovis in Curry county;

178. twenty thousand dollars (\$20,000) to purchase, expand and improve the cemetery in Melrose in Curry county;

179. sixty thousand dollars (\$60,000) to purchase land for, plan, design, construct and equip the Melrose health care clinic in Curry county;

180. twenty thousand dollars (\$20,000) to plan, design and construct a multipurpose storage and maintenance building for the fire and police departments in Texico in Curry county;

~~[181. thirty-five thousand dollars (\$35,000) to plan, design and construct a building for the clerk's office in De Baca county;]~~ *LINE-ITEM VETO*

182. forty-one thousand dollars (\$41,000) to plan, design, construct and renovate, including the heating and air conditioning system, the county-owned Valley community house in De Baca county;

~~[183. thirty thousand dollars (\$30,000) to plan, design, construct and repair the courthouse annex in Fort Sumner in De Baca county;]~~ *LINE-ITEM VETO*

184. fifty thousand dollars (\$50,000) to plan, design, construct, expand, equip and furnish the public library in Fort Sumner in De Baca county;

185. fifty thousand dollars (\$50,000) to purchase and equip police vehicles in Fort Sumner in De Baca county;

186. twenty-five thousand dollars (\$25,000) to plan, design and construct a boxing facility in the Anthony water and sanitation district in Dona Ana county;

187. fifteen thousand dollars (\$15,000) to plan, design, equip, furnish, purchase and install a manufactured building, including site preparation and equipment, for the Anthony Valley public library in Dona Ana county;

188. ninety thousand dollars (\$90,000) to make improvements and purchase and install commercial kitchen equipment, meals equipment and furnishings at the Butterfield community center in Dona Ana county;

189. sixty thousand dollars (\$60,000) to plan, design, construct and improve the Delores Wright memorial park in Dona Ana county;

190. ten thousand dollars (\$10,000) to purchase and install an electronic oral health records system in Dona Ana county;

~~[191. fifty thousand dollars (\$50,000) to purchase maintenance equipment, including a tractor and attachments, for the southern New Mexico fairgrounds in Dona Ana county;]~~ *LINE-ITEM VETO*

192. forty thousand dollars (\$40,000) to plan, design, construct and equip a warehouse to serve small farmers in Dona Ana county;

~~[193. fifty thousand dollars (\$50,000) to plan, design and construct La Mesa community center, including site improvements, in Dona Ana county;]LINE-ITEM VETO~~

194. fifty thousand dollars (\$50,000) to acquire a mobile dental clinic in Dona Ana county;

195. five thousand dollars (\$5,000) to purchase and equip vehicles for the control of mosquitoes and infectious diseases and for increasing public awareness in Dona Ana county;

196. twenty-five thousand dollars (\$25,000) to plan, design, construct, install and equip recreational facilities at the Rincon community center in Dona Ana county;

~~[197. twenty five thousand dollars (\$25,000) to purchase and install in-car video cameras and information technology for the sheriff's department in Dona Ana county;~~

~~198. twenty-five thousand dollars (\$25,000) to purchase, set up and install radar speed measurement devices in patrol vehicles for the county sheriff's department in Dona Ana county;]LINE-ITEM VETO~~

199. thirty-five thousand dollars (\$35,000) to plan, design and construct improvements to the firearms and training range, including the purchase of equipment, additional ranges, a training complex structure and an emergency vehicle operations driving track, for the sheriff's department in Dona Ana county;

~~[200. seventy three thousand dollars (\$73,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for the treasurer's office in Dona Ana county;]LINE-ITEM VETO~~

201. four hundred fifty thousand dollars (\$450,000) to purchase, plan, design, construct, equip and furnish a transitional living facility for youth in Dona Ana county;

202. ten thousand dollars (\$10,000) to plan, design and construct improvements, including lighting, to the Adams ball park in Anthony in Dona Ana county;

203. forty thousand dollars (\$40,000) to purchase land for, plan, design, construct and equip a sheriff's substation in Anthony in Dona Ana county;

204. fifty thousand dollars (\$50,000) to improve and equip the Anthony Valley public library in Dona Ana county;

205. seventy-five thousand dollars (\$75,000) to purchase land for, plan, design and construct a sports complex facility in Chamberino in Dona Ana county;

206. ten thousand dollars (\$10,000) to plan, design and construct improvements to Colquitt park in Chaparral in Dona Ana county;

207. one hundred thousand dollars (\$100,000) to plan, design, construct and equip the boxing activity club in Dona Ana in Dona Ana county;

208. one hundred sixty-three thousand dollars (\$163,000) to design and construct a gas line in the Rodey area of Hatch in Dona Ana county;

209. one hundred thousand dollars (\$100,000) to plan, design, purchase, install and construct an expansion to the wastewater plant, including sludge drying beds, equipment and infrastructure, in Hatch in Dona Ana county;

210. one hundred twenty thousand dollars (\$120,000) to plan, design, construct, equip and furnish a county animal shelter, including the purchase of prefabricated modules, in Las Cruces in Dona Ana county;

211. five thousand dollars (\$5,000) to plan, design and construct a crisis triage center in Las Cruces in Dona Ana county;

212. two hundred forty-nine thousand dollars (\$249,000) to plan, design and construct an addition to a county family residency center in Las Cruces in Dona Ana county;

~~213. ten thousand dollars (\$10,000) to plan, design and construct decorative lighting in the Alameda Depot historical district in Las Cruces in Dona Ana county;~~ *LINE- ITEM VETO*

214. one hundred fourteen thousand dollars (\$114,000) to plan, design, renovate and construct improvements to the Amador museum in Las Cruces in Dona Ana county;

215. one hundred sixty thousand dollars (\$160,000) to plan, design, construct, renovate, improve and furnish the city animal shelter in Las Cruces in Dona Ana county;

216. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct a children's wing at the Branigan public library in Las Cruces in Dona Ana county;

217. thirty thousand dollars (\$30,000) to plan, design and construct improvements at Burn Lake-Esslinger park in Las Cruces in Dona Ana county;

~~218. eighty-five thousand dollars (\$85,000) to plan, design and construct a new storage facility for a daycare facility for homeless children in Las Cruces in Dona Ana county;~~ *LINE-ITEM VETO*

219. forty-two thousand dollars (\$42,000) to plan, design, construct, renovate and equip the East Mesa multigenerational center in Las Cruces in Dona Ana county;

220. ten thousand dollars (\$10,000) to purchase and equip a handicapped-accessible van for transportation for developmentally disabled individuals participating in residential, social and health programs in Las Cruces in Dona Ana county;

221. fifty thousand dollars (\$50,000) to plan, design and construct restroom facilities at the High Noon soccer complex in Las Cruces in Dona Ana county;

222. twenty thousand dollars (\$20,000) to plan, design and construct a kitchen for meal preparation and delivery in Las Cruces in Dona Ana county;

223. five thousand dollars (\$5,000) to purchase and equip laptops, personal digital assistants and an electronic storage and retrieval system for use by an organization delivering community-based services for children and adults with disabilities in Las Cruces in Dona Ana county;

224. fifty-five thousand dollars (\$55,000) to plan, design and construct expansions and improvements to the Mesilla Park community center in Las Cruces in Dona Ana county;

225. twenty thousand dollars (\$20,000) to plan, design, purchase and install lighting in Mesilla park in Las Cruces in Dona Ana county;

226. fifty thousand dollars (\$50,000) to plan, design, construct and equip a community garden in the Mesquite historic district in Las Cruces in Dona Ana county;

227. ten thousand dollars (\$10,000) to purchase land for and construct a gateway monument in the Mesquite street historic district in Las Cruces in Dona Ana county;

228. one hundred eighty thousand dollars (\$180,000) to plan, design, renovate and construct improvements to the natural history museum in Las Cruces in Dona Ana county;

229. ten thousand dollars (\$10,000) to purchase equipment for the police department in Las Cruces in Dona Ana county;

230. sixty-five thousand dollars (\$65,000) to plan, design, construct, purchase, install and equip skeet and trap ranges in Las Cruces in Dona Ana county;

~~[231. seventy-five thousand dollars (\$75,000) to plan, design and construct improvements, including revitalization, to Mesquite in Dona Ana county;]~~*LINE-ITEM VETO*

232. one hundred fifteen thousand dollars (\$115,000) to plan, design, construct and improve the park and parking lot at the Organ community center in Dona Ana county;

~~[233. twenty-five thousand dollars (\$25,000) to plan, design, construct, purchase and install recreational equipment in Radium Springs in Dona Ana county;]~~*LINE-ITEM VETO*

234. ten thousand dollars (\$10,000) for a master plan, including landscaping, drainage, lighting and sidewalks, for San Miguel in Dona Ana county;

235. five thousand dollars (\$5,000) to plan, design, construct and equip a county multipurpose sports complex, including an indoor swimming pool, in San Miguel in Dona Ana county;

236. one hundred thousand dollars (\$100,000) to plan, design and construct ballfield improvements, including an irrigation system and drainage and roadway improvements, in Tortugas in Dona Ana county;

237. seventy-four thousand dollars (\$74,000) to plan, design, construct and equip a shooting range in north Eddy county;

238. forty-five thousand dollars (\$45,000) to purchase and equip handicapped-accessible vans for transporting the disabled in Eddy county;

239. one hundred thousand dollars (\$100,000) to plan, design, purchase, construct and equip a building for a fire station in Loving in Eddy county;

240. one hundred ninety-eight thousand dollars (\$198,000) to purchase land for, plan, design, construct and equip improvements to Sunset Gardens cemetery in Eddy county;

241. forty thousand dollars (\$40,000) to plan, design and construct the Second and Texas streetscape improvement project in Artesia in Eddy county;

242. ten thousand dollars (\$10,000) to purchase equipment for the police athletic league program in Artesia in Eddy county;

243. one hundred ninety thousand dollars (\$190,000) to plan, design and construct a public safety facility in Artesia in Eddy county;

244. one hundred thousand dollars (\$100,000) to plan, design and construct a building for the vocational training center in Artesia in Eddy county;

~~245. fifty thousand dollars (\$50,000) to purchase and install electrosurgical equipment for the Artesia special hospital district in Eddy county;~~*LINE-ITEM VETO*

246. one hundred thirty-five thousand dollars (\$135,000) to plan, design, construct, equip, furnish and renovate a facility to house a rural health care clinic in the Artesia special hospital district in Eddy county;

247. one hundred thousand dollars (\$100,000) to purchase and install a radiological mammography system for the Artesia special hospital district in Eddy county;

248. seventy-five thousand dollars (\$75,000) to purchase a mobile radiological C-arm for the Artesia special hospital district in Eddy county;

249. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, furnish, equip and install improvements to the battered families shelter in Carlsbad in Eddy county;

250. seventy thousand dollars (\$70,000) to renovate and construct improvements to the beach bathhouse in Carlsbad in Eddy county;

~~251. ten thousand dollars (\$10,000) to design and construct a roof for the community kitchen facility in Carlsbad in Eddy county;~~*LINE-ITEM VETO*

252. seventy-five thousand dollars (\$75,000) to plan, design, construct, purchase and install improvements to the irrigation system at the Carlsbad municipal golf course, including a sprayer and turf roller, in Carlsbad in Eddy county;

~~253. fifty thousand dollars (\$50,000) to purchase improvements and equip the Carlsbad municipal golf course, including a sprayer and turf roller, in Carlsbad in Eddy county;~~*LINE-ITEM VETO*

254. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, install and equip improvements, including lighting, landscaping, an irrigation system and activity areas, at the Halagueno art park in Carlsbad in Eddy county;

255. fifteen thousand three hundred thirty-three dollars (\$15,333) to purchase, plan, design, construct and install signs and landscaping improvements at the Carlsbad industrial park in Eddy county;

256. twenty thousand dollars (\$20,000) to plan, design and construct improvements, including paving of the parking lot and runways, to the shooting range in Carlsbad in Eddy county;

257. fifty thousand dollars (\$50,000) to purchase, plan, design, construct and equip a sports complex, including lighting, in Loving in Eddy county;

258. one hundred forty-five thousand dollars (\$145,000) to plan, design, construct and equip Bataan memorial park, including roadways, trails, paving, lighting and recreational equipment, in Grant county;

259. one hundred twenty-five thousand dollars (\$125,000) to purchase land for the civic center in Grant county;

260. eighty thousand dollars (\$80,000) to plan, design, construct, equip, furnish and install a veterans' memorial, including a gazebo, in Grant county;

261. thirty-five thousand dollars (\$35,000) to plan, design, construct, equip and furnish a community multipurpose center for the Hachita mutual domestic water consumers association in Grant county;

262. ninety thousand dollars (\$90,000) to plan, design, construct and equip a community park in Bayard in Grant county;

263. one hundred sixty-three thousand dollars (\$163,000) to plan, design, renovate, construct and equip a public safety building for the police and fire departments in Santa Clara in Grant county;

264. ten thousand dollars (\$10,000) to resurface the main parking lot of the Gila regional medical center in Silver City in Grant county;

265. one hundred fifty thousand dollars (\$150,000) to purchase and install equipment, furnishings and information technology for the Grant county regional dispatch authority in Silver City in Grant county;

266. one hundred thirty thousand dollars (\$130,000) to plan, design, construct, equip and furnish an expansion to Memory Lane cemetery in Silver City in Grant county;

267. seventy-five thousand dollars (\$75,000) to plan, design, construct and renovate the fire department building for use as a community center in Anton Chico in Guadalupe county;

268. forty thousand dollars (\$40,000) to purchase and install a county-owned emergency broadcast radio tower and related equipment in Santa Rosa in Guadalupe county;

269. fifty thousand dollars (\$50,000) to purchase and install equipment and to plan, design and construct exterior repairs to the community facility in Vaughn in Guadalupe county;

270. fifty thousand dollars (\$50,000) to purchase brush units for the fire department in Vaughn in Guadalupe county;

~~[271. twenty five thousand dollars (\$25,000) to purchase and equip a backhoe in Mosquero in Harding county;]~~ *LINE-ITEM VETO*

272. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and furnish a county vocational center in Lordsburg in Hidalgo county;

273. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct and furnish a city hall building in Lordsburg in Hidalgo county;

274. four hundred thousand dollars (\$400,000) to construct, purchase and install improvements, including roof and air conditioning improvements, to the county event center in Lea county;

275. five hundred seventy-five thousand dollars (\$575,000) to plan, design, construct, equip and furnish fire station number 4 in Hobbs in Lea county;

276. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and furnish the Jal junior high school building for an incubator project in Jal in Lea county;

277. one hundred fifty thousand dollars (\$150,000) to purchase and equip a bobtail tanker for Lovington in Lea county;

278. one hundred forty thousand dollars (\$140,000) to plan, design and construct restroom facilities at Chaparral park in Lovington in Lea county;

279. eighty-five thousand dollars (\$85,000) to purchase and install mobile and portable radios, including related equipment, for Lovington in Lea county;

280. one hundred twenty-five thousand dollars (\$125,000) to purchase hospital equipment and vans for the Nor-Lea special hospital district in Lea county;

281. one hundred thirty-five thousand dollars (\$135,000) to plan, design, construct, renovate, equip and furnish a multipurpose building in Tatum in Lea county;

282. two hundred forty thousand dollars (\$240,000) to purchase and equip a motor grader for Capitan in Lincoln county;

283. sixty-five thousand dollars (\$65,000) to plan, design, construct and equip a fire station for the Glencoe-Palo Verde fire department in Glencoe in Lincoln county;

284. sixty-five thousand dollars (\$65,000) to purchase a fire tanker pumper for the Hondo district fire department in Hondo in Lincoln county;

~~[285. sixty-five thousand dollars (\$65,000) to purchase a fire tanker pumper for the Lincoln historic district fire department in Lincoln county;]~~ *LINE-ITEM VETO*

286. twenty-five thousand dollars (\$25,000) to plan, design, construct, renovate and equip athletic fields and facilities in Ruidoso in Lincoln county;

287. ten thousand dollars (\$10,000) to purchase equipment and trash receptacles for bear proofing in Ruidoso in Lincoln county;

288. ninety thousand dollars (\$90,000) to plan, design, construct and equip improvements and an expansion to the village hall in Ruidoso in Lincoln county;

289. one hundred five thousand dollars (\$105,000) to plan, design, construct, purchase, furnish and equip phase III of a county-owned domestic violence shelter in Ruidoso Downs in Lincoln county;

290. forty thousand dollars (\$40,000) to plan, design and construct a display building, park and walkway for the Hubbard museum of the American west in Ruidoso Downs in Lincoln county;

~~[291. twenty-five thousand dollars (\$25,000) to plan, design and construct a visitors' center in White Rock in Los Alamos county;]~~ *LINE-ITEM VETO*

292. sixty thousand dollars (\$60,000) to plan, design and construct improvements, including lighting, to little league facilities in Columbus in Luna county;

293. two hundred fifty thousand dollars (\$250,000) to plan, design, construct and equip, including lighting, youth recreational athletic fields and facilities in Deming in Luna county;

~~[294. five hundred thousand dollars (\$500,000) to plan, design, construct, demolish and renovate the~~

~~city-county law enforcement complex, including constructing the parking area and fencing, in Deming in Luna county;]~~ *LINE- ITEM VETO*

295. fifteen thousand dollars (\$15,000) to construct, purchase and equip a portable bathroom system for the bi-county fairgrounds in McKinley county;

296. twenty-two thousand five hundred dollars (\$22,500) to purchase and install information technology, including related equipment, furniture and infrastructure, for disability services in McKinley county;

297. seventy thousand dollars (\$70,000) to plan, design and construct a facility for economic development, veterans services, health services and a code talkers museum in McKinley county;

298. fifty thousand dollars (\$50,000) to purchase and equip a road grader for McKinley county;

299. forty-five thousand dollars (\$45,000) to plan and design a solar energy production facility in McKinley county;

~~300. thirty thousand dollars (\$30,000) to purchase equipment for a youth empowerment and leadership initiatives program in Tohatchi in McKinley county;~~ *LINE-ITEM VETO*

301. fifteen thousand dollars (\$15,000) to plan, design and construct improvements to the parking lot of the Gallup community center in Gallup in McKinley county;

302. one hundred five thousand dollars (\$105,000) to plan, design, remodel, construct, equip and furnish the domestic violence shelter in Gallup in McKinley county;

303. fifty thousand dollars (\$50,000) to plan, design and construct a juvenile crisis and detention complex in Gallup in McKinley county;

304. forty-five thousand dollars (\$45,000) to plan, design and construct a multipurpose building in Gallup in McKinley county;

305. twenty-five thousand dollars (\$25,000) to plan, design, furnish, renovate and equip the northwest New Mexico council of governments building in Gallup in McKinley county;

306. seventy-five thousand dollars (\$75,000) to plan, design and construct a public safety building in Gallup in McKinley county;

307. twenty thousand dollars (\$20,000) to plan, design and construct improvements to the Gallup shooting range in Gallup in McKinley county;

308. ten thousand dollars (\$10,000) to purchase and install equipment and make improvements to the soccer fields in Gallup in McKinley county;

309. forty thousand dollars (\$40,000) to purchase vehicles to provide transportation to people with disabilities in the Gallup area of McKinley county;

310. forty-five thousand dollars (\$45,000) to plan, design and construct improvements and to purchase and install equipment, including a touchscreen kiosk directory, at the Veterans' memorial park and Veterans' cemetery in Gallup in McKinley county;

311. fifteen thousand dollars (\$15,000) to purchase showcases and display features for the New Mexico intertribal Indian ceremonial office in Gallup in McKinley county;

312. twenty-five thousand five hundred dollars (\$25,500) to purchase a motor and chassis for a refrigerated box in Gallup in McKinley county;

313. twenty thousand dollars (\$20,000) to plan, design and construct a regional recreation complex in the Thoreau area in McKinley county;

314. eighty-five thousand dollars (\$85,000) to purchase heavy equipment and vehicles for Mora county;

315. ten thousand dollars (\$10,000) to purchase health services medical equipment in the Mora valley in Mora county;

316. forty thousand dollars (\$40,000) to plan, design, construct, purchase and install improvements, including drainage and security system improvements, to the Mora volunteer fire department in Mora county;

317. ten thousand dollars (\$10,000) to plan, design, construct, equip and furnish the Rainsville volunteer fire department in Mora county;

318. five thousand dollars (\$5,000) to plan, design and construct an office at the Chet volunteer fire department in Holman in Mora county;

319. one hundred thousand dollars (\$100,000) to plan, design, construct and equip a county complex in Mora in Mora county;

320. eighty thousand dollars (\$80,000) to purchase and equip vehicles for the sheriff's department in Mora county;

321. twenty thousand dollars (\$20,000) to plan, design and construct improvements and an addition to the Ocate-Ojo Feliz community center in Ocate in Mora county;

322. seventy thousand dollars (\$70,000) to purchase equipment for the road department in Wagon Mound in Mora county;

323. one hundred fifty thousand dollars (\$150,000) to purchase, construct and equip a community center in Watrous in Mora county;

324. thirty thousand dollars (\$30,000) to purchase a bus for the north central regional transit district in Santa Fe, Taos, Rio Arriba and Los Alamos counties;

325. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish the crisis center of northern New Mexico to serve multiple counties;

~~[326. thirty thousand dollars (\$30,000) for a study to construct a regional jail that serves Socorro, Valencia and Bernalillo counties;~~

~~327. fifteen thousand dollars (\$15,000) to plan, design, renovate, construct and equip improvements to the community park in the Cebolleta land grant in Cibola and Sandoval counties; provided that the appropriation is contingent upon the community land grant-merced complying with the provisions of Chapter 49, Article 1 NMSA 1978 and the Audit Act;]LINE-ITEM VETO~~

328. fifty thousand dollars (\$50,000) to purchase and install solar water pump units and a wood chipper for La Merced del Pueblo de Chilili land grant in Bernalillo county; provided that the appropriation is contingent upon the community land grant-merced complying with the provisions of Chapter 49, Article 1 NMSA 1978 and the Audit Act;

329. one hundred fifty thousand dollars (\$150,000) to purchase a tractor for La Merced del Pueblo de Chilili land grant in Bernalillo county; provided that the appropriation is contingent upon the community land

grant-merced complying with the provisions of Chapter 49, Article 1 NMSA 1978 and the Audit Act;

~~[330. fifteen thousand dollars (\$15,000) to plan, design, purchase and construct an addition to the fire department building for the Sixteen Springs volunteer fire department in Otero county;]LINE-ITEM VETO~~

331. thirty thousand dollars (\$30,000) to purchase and install a roof on the community center in the Timberon water and sanitation district in Otero county;

332. thirty-four thousand dollars (\$34,000) to purchase a front-end loader for the Timberon water and sanitation district in Otero county;

333. fifty thousand dollars (\$50,000) to plan, design, purchase, construct, renovate, furnish and equip the Cope office and domestic violence shelter, including a

playground and improvements to the parking lot and security system, in Alamogordo in Otero county;

334. eighty thousand dollars (\$80,000) to plan, design, construct, purchase, install and equip an emergency operations public safety answering point center in Alamogordo in Otero county;

335. thirty-four thousand dollars (\$34,000) to purchase and install auditorium seating in the Flickinger center for performing arts in Alamogordo in Otero county;

336. one hundred forty-seven thousand dollars (\$147,000) to plan, design, construct, renovate, equip and furnish the Plaza building for a museum of history in Alamogordo in Otero county;

~~337. one hundred fifty thousand dollars (\$150,000) to design, construct and renovate the county courthouse in Alamogordo in Otero county;~~ *LINE-ITEM VETO*

338. fifty thousand dollars (\$50,000) to design, renovate and construct improvements to a county building for use by the sheriff's department narcotic enforcement unit in Alamogordo in Otero county;

339. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, install and equip a medical clinic facility in Chaparral in Otero county;

340. forty thousand dollars (\$40,000) to plan, design and reconstruct the Mountain Park depot and post office facility in Cloudcroft in Otero county;

341. twenty thousand dollars (\$20,000) to plan, design, construct, relocate and renovate a building as a
one-room school exhibit in Cloudcroft in Otero county;

342. sixty-seven thousand dollars (\$67,000) to design, construct, equip and make exterior site improvements to the fire station in La Luz in Otero county;

343. sixty thousand dollars (\$60,000) to renovate and restore the red brick schoolhouse in Tularosa in Otero county;

344. one hundred thousand dollars (\$100,000) to plan, design, construct, furnish and equip an enclosure for the swimming pool in Tularosa in Otero county;

345. eight thousand dollars (\$8,000) to purchase and install architectural landscaping, including improvements to plaques and sculptures, at Veterans' memorial park in Tularosa in Otero county;

346. twenty-five thousand dollars (\$25,000) to purchase and install a chassis for an ambulance in San Jon in Quay county;

347. eighty thousand dollars (\$80,000) to plan, design, construct and install improvements, including renovations, to infrastructure in Tucumcari in Quay county;

348. thirty thousand dollars (\$30,000) to purchase agricultural equipment for recovery programs in Rio Arriba county;

349. fifty thousand dollars (\$50,000) to purchase equipment, furniture and information technology for use by an alcoholism treatment program in Rio Arriba county;

350. twenty thousand dollars (\$20,000) to purchase emergency medical equipment for use by a clinic in Rio Arriba county;

351. fifty thousand dollars (\$50,000) to purchase and equip a van to transport patients in Tierra Amarilla and surrounding areas in Rio Arriba county;

352. one hundred ninety thousand dollars (\$190,000) to plan, design, construct and equip the county recreation complex in Rio Arriba county;

353. thirty-three thousand dollars (\$33,000) to purchase and repair search and rescue equipment, vehicles and snowmobiles in Rio Arriba county;

354. thirty thousand dollars (\$30,000) to purchase and install information technology, including digital cameras, related equipment, furniture and infrastructure, for sheriff's department vehicles in Rio Arriba county;

355. ten thousand dollars (\$10,000) to purchase equipment for the mounted sheriff's posse and search and rescue in Rio Arriba county;

356. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and furnish a multipurpose facility in Chama in Rio Arriba county;

357. forty thousand dollars (\$40,000) to plan, design and construct a multipurpose facility in Chimayo in Rio Arriba county;

358. seventy thousand dollars (\$70,000) to plan, design, acquire property and construct upgrades for the [~~county-owned~~] Chimayo museum in Santa Fe county;
LINE-ITEM VETO

359. twenty-five thousand dollars (\$25,000) to purchase, design, construct, equip and install an expansion for the animal shelter in Espanola in Rio Arriba county;

360. twenty-five thousand dollars (\$25,000) to plan, design, construct, equip and furnish a health facility in Espanola in Rio Arriba county;

361. one hundred sixty-five thousand dollars (\$165,000) to plan, design and construct improvements and repairs, including prefabricated components, to the police, detention and holding facility in Espanola in Rio Arriba county;

362. twenty thousand dollars (\$20,000) to purchase and equip police vehicles in Espanola in Rio Arriba county;

363. forty-seven thousand dollars (\$47,000) to purchase land and purchase, plan, design, construct, equip, furnish and improve the Suazo Sala building and auxiliary building for the San Joaquin del Rio de Chama land grant in Rio Arriba county;

~~364. six thousand dollars (\$6,000) to repair the office building for the Santa Cruz irrigation district in Santa Cruz in Rio Arriba county;~~ *LINE-ITEM VETO*

365. twenty thousand dollars (\$20,000) to design and construct a storage room and conference center and renovate a multipurpose building, including bathroom compliance with the Americans with Disabilities Act of 1990, utilities hookup and replacement of doors and windows, for the acequia del Llano Quemado in Truchas in Rio Arriba county;

366. forty-five thousand dollars (\$45,000) to purchase and equip a fire truck for the Truchas volunteer fire department in Rio Arriba county;

367. fifty-five thousand dollars (\$55,000) to purchase equipment for the sheriff's office in Roosevelt county;

368. thirty-five thousand dollars (\$35,000) to plan, design, construct, furnish and equip an emergency room and trauma center for the general hospital in the Roosevelt county special hospital district in Portales in Roosevelt county;

369. forty thousand dollars (\$40,000) to construct and equip truck bays for the fire department in Causey in Roosevelt county;

370. one hundred thousand dollars (\$100,000) to plan, design and construct renovations to the community service center in Portales in Roosevelt county;

371. ninety thousand dollars (\$90,000) to acquire property for and to plan, design and construct the main station for the Portales fire department in Roosevelt county;

372. twenty-five thousand dollars (\$25,000) to design and construct a bronze memorial in Portales in Roosevelt county;

373. forty-five thousand dollars (\$45,000) to plan, design and construct upgrades to the swimming pool and to construct a zero depth pool at the memorial park in Portales in Roosevelt county;

~~[374. seventy-five thousand dollars (\$75,000) to purchase, furnish and install equipment, including electronics, for the city-owned Yam performing arts center in Portales in Roosevelt county;]~~LINE-ITEM VETO

375. one hundred thousand dollars (\$100,000) to purchase land for, plan, design, construct and equip a regional animal shelter in Farmington in San Juan county;

376. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, purchase and equip the Animas river recreational facilities, trails and bridge project in Aztec in San Juan county;

~~[377. forty-three thousand dollars (\$43,000) to purchase equipment and to install and construct lighting for the ball field in the ball parks in Bloomfield in San Juan county;]~~LINE-ITEM VETO

378. seventy-five thousand dollars (\$75,000) to design and construct an administrative office facility for Farmington in San Juan county;

~~[379. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and furnish a convention center in Farmington in San Juan county;]~~LINE-ITEM VETO

380. one hundred ninety-nine thousand dollars (\$199,000) to design and construct a domestic violence shelter in Farmington in San Juan county;

381. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct a domestic violence shelter in Farmington in San Juan county;

382. one hundred twenty-five thousand dollars (\$125,000) to plan and design a prenatal clinic for San Juan regional medical center in Farmington in San Juan county;

383. twenty-five thousand dollars (\$25,000) to purchase and equip vehicles for the county assessor's office in San Miguel county;

384. sixteen thousand dollars (\$16,000) to purchase body orifice security scanners, weapon detection chairs and related equipment for the county detention center in San Miguel county;

385. ten thousand dollars (\$10,000) to plan, design, construct, equip and make improvements to the county fairgrounds in San Miguel county;

386. ten thousand dollars (\$10,000) to plan, design, construct, renovate, equip and furnish a health facility, including a parking area, in San Miguel county;

387. thirty thousand dollars (\$30,000) to purchase heavy equipment for San Miguel county;

388. thirty thousand dollars (\$30,000) to purchase and equip vehicles and equipment for the sheriff's department in San Miguel county;

389. sixty-five thousand dollars (\$65,000) to design and construct a conference room and offices for the fourth judicial district attorney's office in Las Vegas in San Miguel county;

390. sixty-nine thousand dollars (\$69,000) to plan, design and construct renovations to the police department, including asbestos removal, in Las Vegas in San Miguel county;

391. twenty thousand dollars (\$20,000) to purchase and equip a thermal imaging system for the Las Vegas police department in Las Vegas in San Miguel county;

392. twenty-four thousand dollars (\$24,000) to purchase and equip police vehicles in Las Vegas in San Miguel county;

393. three thousand dollars (\$3,000) to purchase equipment for the special olympics in Las Vegas in San Miguel county;

394. five thousand dollars (\$5,000) to plan, design and construct a veterans' memorial in Las Vegas in San Miguel county;

395. seven thousand dollars (\$7,000) to plan, construct, furnish and equip the restoration and addition to the veterans' service center in Las Vegas in San Miguel county;

396. four thousand eight hundred eighty-three dollars (\$4,883) to equip the emergency response team at the detention center in Las Vegas in San Miguel county;

397. eight thousand seven hundred fourteen dollars (\$8,714) to plan, design and install a security door within the inmate recreation area of the detention center in San Miguel county;

398. twenty thousand dollars (\$20,000) to purchase maintenance and road equipment for the public works department in Pecos in San Miguel county;

399. ten thousand dollars (\$10,000) to plan, design and construct a building for the Sapello-Rociada volunteer fire department in San Miguel county;

400. twenty thousand dollars (\$20,000) to purchase and install water tanks for the Sapello-Rociada volunteer fire department in San Miguel county;

401. forty thousand dollars (\$40,000) to plan and design infrastructure and an industrial park for economic development in southern Sandoval county;

402. one hundred fifty thousand dollars (\$150,000) to plan, design and construct a department of public safety facility in Bernalillo in Sandoval county;

403. two hundred sixty-three thousand dollars (\$263,000) to plan, design and construct improvements to El Zocalo business development complex, including parking lot paving, lighting and landscaping, in Bernalillo in Sandoval county;

404. one hundred ten thousand dollars (\$110,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for the multicultural center in Bernalillo in Sandoval county;

405. fifty-two thousand five hundred dollars (\$52,500) to plan, design and construct a veterans' memorial in Bernalillo in Sandoval county;

406. thirty thousand dollars (\$30,000) to purchase land for, plan, design and construct fire suppression wells and tanks in Corrales in Sandoval county;

407. forty thousand dollars (\$40,000) to plan, design, construct and equip a record center in Corrales in Sandoval county;

408. twenty-five thousand dollars (\$25,000) to plan, design, construct and equip the multijurisdictional police headquarters, including infrastructure, for the Cuba police department in Sandoval county;

409. eighty-five thousand dollars (\$85,000) to plan, design, construct and equip police headquarters, including related infrastructure, in Cuba in Sandoval county;

410. seventy-five thousand dollars (\$75,000) to plan, design, construct and furnish renovations to the athletic facility in Rio Rancho in Sandoval county;

411. twenty-five thousand dollars (\$25,000) for lighting for the Enchanted Hills area of Rio Rancho in Sandoval county;

412. one hundred forty-five thousand dollars (\$145,000) to plan, design and construct a restoration and storage facility expansion for the New Mexico museum of military history in Rio Rancho in Sandoval county;

413. twenty thousand dollars (\$20,000) to construct memorial walls with plaques and bricks to honor veterans in Veterans Memorial park in Rio Rancho in Sandoval county;

414. forty-five thousand dollars (\$45,000) to plan and design parking lots and purchase bleachers in San Ysidro in Sandoval county;

415. ten thousand dollars (\$10,000) to plan, design, construct and equip the first judicial district courthouse in Santa Fe county;

~~416. seventy-five thousand dollars (\$75,000) to plan, design, construct and equip, including an addition, the Agua Fria community center in Santa Fe county;~~ *LINE-ITEM VETO*

417. one hundred thousand dollars (\$100,000) to plan, design, construct and equip a community center in Cundiyo in Santa Fe county;

418. three hundred thousand dollars (\$300,000) to purchase, plan, design and renovate a clubhouse facility for a program serving persons with severe mental illness in Santa Fe county;

419. forty thousand dollars (\$40,000) to plan, design, construct, equip and improve the community park in Agua Fria in Santa Fe county;

420. seventy thousand dollars (\$70,000) to plan, design, construct and equip a county-owned multipurpose center and children's zone in Santa Fe county;

421. fifty thousand dollars (\$50,000) to purchase and equip a digital imaging system for the county clerk in Santa Fe county;

422. forty thousand dollars (\$40,000) to plan, design, construct and improve the juvenile and adult detention facilities in Santa Fe county;

423. fifty thousand dollars (\$50,000) to plan, design, purchase, construct and equip a modular building for the county-owned Esperanza shelter in Santa Fe county;

424. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, equip and furnish ~~county-owned~~ head start facilities in Santa Fe county; *LINE-ITEM VETO*

425. two hundred five thousand dollars (\$205,000) to purchase land for, plan, design, construct and equip a mountain center in Santa Fe county;

426. one hundred twenty thousand dollars (\$120,000) to plan, design, construct and equip improvements to public housing sites in Santa Fe county;

427. forty-nine thousand dollars (\$49,000) to improve, plan, design, construct, equip and purchase land for tennis courts in the Pojoaque Valley area of Santa Fe county;

428. twenty-four thousand dollars (\$24,000) to purchase vehicles, equipment and information technology, including related equipment, furniture, infrastructure and installation, for Santa Fe county;

429. fifty-five thousand dollars (\$55,000) to construct, equip and furnish an expansion of the Vista Grande public library in Santa Fe county;

430. twenty thousand dollars (\$20,000) to plan, design, construct and equip an addition to the community room facility in Cundiyo in Santa Fe county;

431. twenty thousand dollars (\$20,000) to construct a multipurpose building in Cundiyo in Santa Fe county;

432. forty thousand dollars (\$40,000) to plan, design and construct a community center and library in Edgewood in Santa Fe county;

433. one hundred thousand dollars (\$100,000) to plan, design and construct a regional animal shelter in Edgewood in Santa Fe county;

434. seventy-five thousand dollars (\$75,000) to plan, design, purchase, construct, install, equip and furnish a multipurpose community center in La Puebla in Santa Fe county;

435. thirty-five thousand dollars (\$35,000) to plan, design, purchase, construct, install, equip and furnish a restroom facility for La Puebla park in La Puebla in Santa Fe county;

436. ninety-five thousand dollars (\$95,000) to design and construct a botanical garden, including trails and a water system, in Santa Fe in Santa Fe county;

437. fifty thousand dollars (\$50,000) to plan, design and construct a multipurpose community center for the Santa Fe civic housing authority within house district 48 in Santa Fe in Santa Fe county;

438. twenty thousand dollars (\$20,000) to purchase buses for use by a club for boys and girls in Santa Fe county;

439. thirty thousand dollars (\$30,000) to plan, design, construct and improve the mechanical room and restrooms at a city-owned club for boys and girls in Santa Fe in Santa Fe county;

440. forty thousand dollars (\$40,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for use by a club for boys and girls in Santa Fe in Santa Fe county;

441. twenty-five thousand dollars (\$25,000) to plan, design, construct and pave the parking lot at a club for boys and girls in Santa Fe in Santa Fe county;

442. ten thousand dollars (\$10,000) to plan, design, construct and improve the heating, ventilation and air conditioning system at a city-owned club for boys and girls in Santa Fe in Santa Fe county;

443. two hundred eighty-five thousand dollars (\$285,000) to plan, design and construct improvements and an expansion to a dance facility, including dance studios and storage facilities, for use by an organization providing after-school, in-school and weekend programs in Santa Fe county;

444. thirty-nine thousand dollars (\$39,000) to plan and design a multipurpose building for disabilities services in Santa Fe in Santa Fe county;

445. fifteen thousand dollars (\$15,000) to purchase a van to serve people with mental illness in Santa Fe county;

446. one hundred seventy thousand dollars (\$170,000) to construct and equip a farmers' market facility at the Santa Fe railyard in Santa Fe in Santa Fe county;

447. thirty thousand dollars (\$30,000) to purchase weight room equipment, fitness accessories and fitness testing equipment for the Genoveva Chavez community center in Santa Fe in Santa Fe county;

448. fifty thousand dollars (\$50,000) to plan, design and construct a community center on Hopewell street in Santa Fe in Santa Fe county;

449. eighty thousand dollars (\$80,000) to plan, design, construct and equip the expansion and renovation of the Santa Fe public library La Farge branch in Santa Fe in Santa Fe county;

~~450. twenty thousand dollars (\$20,000) to plan, design and construct improvements and paths at the Marty Sanchez golf course in Santa Fe in Santa Fe county;]~~LINE-ITEM VETO

451. four hundred fifty thousand dollars (\$450,000) to plan, design, construct and renovate the Santa Fe police department in Santa Fe in Santa Fe county;

452. one hundred ten thousand dollars (\$110,000) to construct, equip and furnish a city-owned teen art center at the rail yard in Santa Fe in Santa Fe county;

453. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, renovate, equip and furnish a women's health facility in Santa Fe in Santa Fe county;

454. one hundred thirty thousand dollars (\$130,000) to plan, design, construct and equip a multipurpose youth and family service center in Santa Fe in Santa Fe county;

455. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, equip and furnish the Site Santa Fe museum in Santa Fe in Santa Fe county;

456. fifty thousand dollars (\$50,000) to purchase property for, plan, design and construct an agricultural facility in Stanley in Santa Fe county;

457. one hundred thousand dollars (\$100,000) to plan, design and construct a cover over the municipal swimming pool in Truth or Consequences in Sierra county;

458. sixty thousand dollars (\$60,000) to plan, design, construct and improve a multipurpose center in the Sabinal and Abeytas areas in Socorro county;

459. one hundred thirty thousand dollars (\$130,000) to plan, design and construct improvements to Polvadera, Escondida, Veterans and San Antonio parks in Socorro in Socorro county;

460. thirty-five thousand dollars (\$35,000) to plan, design, construct and renovate the Abeytas volunteer fire department water storage facility in Socorro county;

461. twenty-four thousand dollars (\$24,000) to plan, design and construct the municipal complex, including the village hall, council chambers, public works office, parking lot and landscaping, in Magdalena in Socorro county;

462. ninety thousand dollars (\$90,000) to plan, design and construct a county center, including demolition of the Ernest Peralta building, in Socorro in Socorro county;

463. twenty thousand dollars (\$20,000) to plan, design, construct, equip and furnish improvements to the county multipurpose youth center in Socorro in Socorro county;

464. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate and equip, including fencing, a road department building in Socorro in Socorro county;

465. one hundred sixty thousand dollars (\$160,000) to plan, design and construct convention center, rodeo and recreation facilities, including soccer fields, in Socorro in Socorro county;

466. fifty thousand dollars (\$50,000) to plan, design, construct and equip the northern Socorro clinic in Veguita in Socorro county;

467. ten thousand dollars (\$10,000) to plan, design, construct and install a marker at the Questa veterans' memorial in Taos county;

468. ten thousand dollars (\$10,000) to plan, design, construct, renovate, equip and furnish the community center in Talpa in Taos county;

~~469. five thousand dollars (\$5,000) to plan, design, construct and equip an animal shelter in Taos county;~~ *LINE-ITEM VETO*

470. thirty-five thousand dollars (\$35,000) to plan, design, construct, equip and furnish the Arroyo Seco community center in Taos county;

471. ten thousand dollars (\$10,000) to construct, improve and equip the indoor arena, parking lot and drainage system at the Juan I. Gonzales agricultural center in Taos county;

472. forty thousand dollars (\$40,000) to plan, design, pave and landscape a parking area for the Llano Quemado community and emergency response center in Taos county;

473. ten thousand dollars (\$10,000) to plan, design and construct renovations, including improvements to comply with the provisions of the Americans with Disabilities Act of 1990, to the Los Cordovas community center in Taos county;

474. one hundred thousand dollars (\$100,000) to purchase equipment for the road department in Taos county;

475. ten thousand dollars (\$10,000) to plan, design and construct bleachers and restroom facilities at the rodeo grounds in Taos county;

476. one hundred ten thousand dollars (\$110,000) to purchase and equip vehicles for the sheriff's department in Taos county;

477. ten thousand dollars (\$10,000) to purchase vehicles and equipment for youth sustainable forestry and emergency response programs in Taos county;

478. ten thousand dollars (\$10,000) to plan, design, construct and equip a kitchen facility, including infrastructure upgrades, in Arroyo Hondo in Taos county;

479. ten thousand dollars (\$10,000) to plan, design, construct and equip a multipurpose building for the Don Fernando de Taos land grant in Taos county; provided that the appropriation is contingent upon the community land grant-merced complying with the provisions of Chapter 49, Article 1 NMSA 1978 and the Audit Act;

480. one hundred five thousand dollars (\$105,000) to purchase and equip a backhoe and dump truck for Questa in Taos county;

481. twenty-six thousand two hundred two dollars (\$26,202) to purchase and equip a road grader for Red River in Taos county;

482. twenty-five thousand dollars (\$25,000) to plan, design and construct the Alexander Gusdorf eco-park in Taos in Taos county;

483. twenty-five thousand dollars (\$25,000) to purchase and install hospital equipment, including a digital fluoroscope and x-ray equipment, in Taos in Taos county;

484. one hundred thousand dollars (\$100,000) to plan, design, renovate and construct an expansion to the public library, including furnishings and equipment, in Taos in Taos county;

485. ten thousand eight hundred dollars (\$10,800) to purchase and equip vehicles for transporting the disabled and mentally ill in Taos in Taos county;

486. forty thousand dollars (\$40,000) to plan, design and construct a multipurpose center for the Trampas mutual domestic water consumers and mutual sewage works association in Taos county;

487. ten thousand dollars (\$10,000) to plan, design, construct, renovate and equip the community center, including improvements in compliance with the Americans with Disabilities Act of 1990, at the Valdez mutual domestic water consumers and mutual sewage works association in Valdez in Taos county;

488. ten thousand dollars (\$10,000) to plan, design, construct and equip improvements to the regional animal shelter in Torrance county;

489. fifty thousand dollars (\$50,000) to purchase equipment and vehicles for the road department in Torrance county;

490. nineteen thousand dollars (\$19,000) to purchase equipment, including information technology and related equipment, furniture and infrastructure, for the sheriff's department in Torrance county;

491. fifty thousand dollars (\$50,000) to plan, design, construct and furnish a voting machine storage building in Torrance county;

492. twenty thousand dollars (\$20,000) to plan, design, construct and install improvements to the Encino community center in Torrance county;

~~[493. forty thousand dollars (\$40,000) to purchase equipment and vehicles for Estancia in Torrance county;]~~LINE- ITEM VETO

494. one hundred twenty thousand dollars (\$120,000) to plan, design, construct and equip an addition to the health clinic in Estancia in Torrance county;

~~[495. fifteen thousand dollars (\$15,000) to plan, design and construct improvements at the memorial cemetery in Estancia in Torrance county;]~~LINE-ITEM VETO

496. fifty thousand dollars (\$50,000) to plan, design and construct improvements to the Estancia recreational complex, including lighting and restrooms, and to the Torrance county fairgrounds, including a rodeo facility, in Estancia in Torrance county;

497. one hundred thousand dollars (\$100,000) to acquire land for, plan, design and construct, including a parking area and fencing, the Memorial of Perpetual Tears park in Moriarty in Torrance county;

498. one hundred twenty thousand dollars (\$120,000) to purchase property and to plan, design and construct a public safety facility in Moriarty in Torrance county;

499. one hundred thousand dollars (\$100,000) to purchase a community multipurpose center in Mountainair in Torrance county;

500. fifteen thousand dollars (\$15,000) to purchase equipment for the police department in Mountainair in Torrance county;

501. forty thousand dollars (\$40,000) to plan, design and construct a community multipurpose center in Willard in Torrance county;

502. twenty-five thousand dollars (\$25,000) to purchase and install global positioning system units for emergency vehicles in Union county;

503. twenty thousand dollars (\$20,000) to purchase and equip an ambulance in Des Moines in Union county;

504. twenty-five thousand dollars (\$25,000) to purchase, repair, upgrade and equip an ambulance for the Des Moines emergency medical services in Des Moines in Union county;

505. thirty-five thousand dollars (\$35,000) to purchase handicapped-accessible vehicles for Des Moines in Union county;

506. twenty thousand dollars (\$20,000) to plan, design, construct and renovate the Tome-Adelino fire station, including grounds improvements, in Tome-Adelino in Valencia county;

507. twenty-five thousand dollars (\$25,000) to purchase and install kitchen equipment, furniture and improvements for the Casa Colorada community center in Valencia county;

508. ninety thousand dollars (\$90,000) to purchase and equip a truck and transfer trailers for the Conejo transfer station in Valencia county;

~~509. seventy-five thousand dollars (\$75,000) to purchase and install informational technology dispatch equipment at the Valencia county regional communications center in Valencia county;~~ *LINE-ITEM VETO*

510. ten thousand dollars (\$10,000) to purchase an air fill system for the Rio Grande Estates fire department in Valencia county;

511. fifty-five thousand dollars (\$55,000) to purchase an extrication system for the Rio Grande Estates fire department in Valencia county;

512. forty-three thousand dollars (\$43,000) to purchase an emergency generator for the Rio Grande Estates fire department in Valencia county;

513. fifty thousand dollars (\$50,000) to plan, design and construct a training and staff meeting room and a sheriff's office at the sheriff's department in Valencia county;

514. one hundred fifty thousand dollars (\$150,000) to purchase vehicles and trucks for the sheriff's department in Valencia county;

515. thirty-five thousand dollars (\$35,000) to purchase and equip handicapped-accessible vehicles for youth and family services programs in Valencia county;

516. thirty-three thousand dollars (\$33,000) to purchase and equip a fire tanker for the Valencia and El Cerro fire district in Valencia county;

517. twenty thousand dollars (\$20,000) to purchase books and equipment and to purchase and install information technology, including related equipment, furniture and infrastructure, for the Bosque Farms library in Valencia county;

518. seventeen thousand dollars (\$17,000) to purchase defibrillators and an ambulance cot for the police department and rescue unit in Bosque Farms in Valencia county;

519. fifty thousand dollars (\$50,000) to purchase and install information technology, including related equipment, for police department vehicles in Bosque Farms in Valencia county;

520. thirty thousand dollars (\$30,000) to purchase and equip police units in Bosque Farms in Valencia county;

521. thirty thousand dollars (\$30,000) to plan, design and construct a shade structure at the recreation complex in Bosque Farms in Valencia county;

522. twenty-five thousand dollars (\$25,000) to purchase and install a water meter system for Bosque Farms in Valencia county;

523. twenty thousand dollars (\$20,000) to plan, design and construct improvements to Yucca little league in Bosque Farms in Valencia county; and

524. two hundred fifty-five thousand dollars (\$255,000) to plan, design and construct improvements to the sports complex, including a public restroom, curbs and gutters, parking facilities and entrances, in Los Lunas in Valencia county.

Chapter 92 Section 60 Laws 2008

Section 60. NEW MEXICO STATE POLICE DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY PROJECT--GENERAL FUND.--Five thousand dollars (\$5,000) is appropriated from the general fund to the New Mexico state police division of the department of public safety for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to purchase equipment for the New Mexico mounted patrol in Las Vegas in San Miguel county.

Chapter 92 Section 61 Laws 2008

Section 61. DEPARTMENT OF TRANSPORTATION PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the department of transportation for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. one hundred seventy-five thousand dollars (\$175,000) to plan, design and construct improvements to the intersection of Arenal road SW and Atrisco road SW, including turning lanes, paving, sidewalks, curbs and acquisition of rights of way, in Bernalillo county;

2. twenty-eight thousand dollars (\$28,000) to plan, design and construct road improvements, including paving, to Barboa place from the beginning to Blake road in Bernalillo county;

3. one hundred fourteen thousand dollars (\$114,000) to plan, design and construct road improvements in the Sandia Heights area in Bernalillo county;

4. seventy-five thousand five hundred dollars (\$75,500) to install lighted street signs at the intersections of Coors and Arenal road SW, Tapia boulevard and Arenal road SW, Isleta boulevard and Valdora avenue and Isleta boulevard and Blake road SW in Bernalillo county;

5. one hundred seventy-seven thousand five hundred dollars (\$177,500) to plan, design and construct improvements, including paving, to Cypress road from Central avenue to the Isleta drain in Bernalillo county;

6. one hundred seventy-five thousand dollars (\$175,000) to plan, design and construct road and drainage improvements, including additional lanes, to Eubank boulevard from Academy boulevard to paseo del Norte in Bernalillo county;

7. one hundred thousand dollars (\$100,000) to plan, design and construct road improvements, including paving, drainage and acquisition of rights of way, to Five Points road from Gateway avenue to Atrisco drive in the south valley, including sections of the road both inside and outside the city of Albuquerque, in Bernalillo county;

8. seventy-five thousand dollars (\$75,000) to plan, design and construct road improvements, including paving, to Foothill road from Arenal road to Telesfor drive in Bernalillo county;

9. twenty thousand dollars (\$20,000) to plan, design and construct improvements to Isleta boulevard, including safety lighting, pedestrian crossings, landscaping and bus shelters, in Bernalillo county;

10. seventy-five thousand dollars (\$75,000) to plan, design, construct, purchase and install safety street lighting along Isleta boulevard from Rio Bravo boulevard to interstate 25 in Bernalillo county;

11. forty thousand seven hundred dollars (\$40,700) to plan, design and construct road improvements, including paving, to Jerry road from the beginning to Tapia boulevard in Bernalillo county;

12. fifty thousand dollars (\$50,000) to plan, design and construct improvements to Kelsey road in the south valley in Bernalillo county;

13. forty thousand dollars (\$40,000) to plan, design and construct improvements, including paving, to Lisa road from Julie Romero road to Ward road SW in Bernalillo county;

14. ninety-seven thousand five hundred seventy dollars (\$97,570) to plan, design and construct road improvements, including paving, to Saunders road from Isleta boulevard to La Vega drive in Bernalillo county;

15. fifty thousand dollars (\$50,000) to plan, design, construct, purchase and install bus stop shelters and benches in the south valley from Rio Bravo boulevard to interstate 25 along Isleta boulevard and in the Mountain View area along Rio Bravo boulevard in Bernalillo county;

16. one hundred thousand dollars (\$100,000) to plan, design and construct improvements, including drainage, to Sunset Gardens road from Atrisco drive to the Arenal ditch, including sections of the road both inside and outside Albuquerque, in Bernalillo county;

17. twenty thousand dollars (\$20,000) to plan, design and construct road improvements to Sunset road from Gatewood road to the Five Points post office, including improvements on Yakima road to Gatewood road, in Bernalillo county;

18. twenty-five thousand dollars (\$25,000) to plan, design and construct road and drainage improvements, including curbs, gutters and traffic signals, to Unser boulevard between Paradise boulevard and Irving boulevard in Bernalillo county;

19. nineteen thousand dollars (\$19,000) to plan, design and construct roadway and pedestrian facility improvements on Eighth street between Coal avenue and Bridge boulevard in Albuquerque in Bernalillo county;

20. fifty thousand dollars (\$50,000) to purchase and install street lighting in the Kirtland community in Albuquerque in Bernalillo county;

21. eighty thousand dollars (\$80,000) to plan, design, construct and install drainage improvements in the Martineztown area of Albuquerque in Bernalillo county;

22. thirty thousand dollars (\$30,000) to plan, design, construct and make improvements to streets, including traffic calming and compliance with the Americans with Disabilities Act of 1990, in the Sawmill neighborhood of Albuquerque in Bernalillo county;

23. thirty thousand dollars (\$30,000) to plan, design, construct and improve streets, including drainage, in the Sawmill neighborhood of Albuquerque in Bernalillo county;

~~[24. fifty thousand dollars (\$50,000) to plan, design and construct improvements to Atrisco drive between Central avenue and Hooper road SW in Albuquerque in Bernalillo county;]~~ *LINE-ITEM VETO*

25. fifty thousand dollars (\$50,000) to plan, design and construct roadway and pedestrian facility improvements on Central avenue from Eighth street to

Forty-seventh street in Albuquerque in Bernalillo county;

26. one hundred thousand dollars (\$100,000) to plan, design and construct quiet crossings at El Pueblo and Alameda boulevard in Albuquerque in Bernalillo county;

27. sixty thousand dollars (\$60,000) to plan, design and construct median landscaping improvements on Eubank boulevard between Montgomery boulevard and Constitution avenue in Albuquerque in Bernalillo county;

28. one hundred fifty-four thousand dollars (\$154,000) to plan, design, construct and install improvements, including art and landscaping, at interstate 40 and interstate 25 in Albuquerque in Bernalillo county;

29. seventy thousand dollars (\$70,000) to purchase and install a traffic signal at La Paz drive and Paradise boulevard in Albuquerque in Bernalillo county;

30. fifty-four thousand dollars (\$54,000) to plan, design and construct streetscape improvements to Dr. Martin Luther King, Jr. avenue from interstate 25 to University boulevard in Albuquerque in Bernalillo county;

31. fifty thousand dollars (\$50,000) to plan, design and construct lighting and pedestrian improvements to Ouray road in Albuquerque in Bernalillo county;

32. one hundred fifty-one thousand five hundred dollars (\$151,500) to plan, design and construct new roadway and pedestrian improvements on Ouray road in Albuquerque in Bernalillo county;

33. one hundred thousand dollars (\$100,000) to plan, design and construct improvements to Pear road from Bridge boulevard to San Ygnacio road, including paving, sidewalks, street lighting, curbs, gutters and a storm drain line, in Albuquerque in Bernalillo county;

34. seventy-five thousand dollars (\$75,000) to resurface and reconstruct segments of the Tramway bicycle trail from Central avenue to the Sandoval county line in Albuquerque in Bernalillo county;

35. thirty thousand dollars (\$30,000) to plan, design, construct, renovate, equip and furnish a parking drop-off area, traffic improvements and a parking lot at Mitchell elementary school in the Albuquerque public school district in Bernalillo county;

36. fifty-four thousand dollars (\$54,000) to design and construct a walking, jogging and bike lane on the right of way adjacent to Rio Grande boulevard in Los Ranchos de Albuquerque in Bernalillo county;

37. forty thousand dollars (\$40,000) to plan, design and construct bridges over Tijeras arroyo in Tijeras in Bernalillo county;

~~[38. forty thousand dollars (\$40,000) to plan, design and construct sidewalk improvements in Hagerman in Chaves county;]~~ *LINE-ITEM VETO*

39. fifty-five thousand dollars (\$55,000) to plan, design and construct improvements to Berryhill, Marmon and Laurie streets in Milan in Cibola county;

40. fifty thousand dollars (\$50,000) to plan, design, construct and improve south Tomboy drive and Willow Creek drive, including acquisition of rights of way and roadway drainage, in Eagle Nest in Colfax county;

41. one hundred seventy-four thousand dollars (\$174,000) to plan, design and construct improvements, including paving and drainage, to county roads 10, E, C and D in Curry county;

42. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements, including paving, drainage and sidewalks, to streets in Clovis in Curry county;

~~[43. twenty five thousand dollars (\$25,000) to plan, design and construct improvements, including drainage, on Blue Topaz road in the East Mesa area in Dona Ana county;]~~ *LINE-ITEM VETO*

44. one hundred forty thousand dollars (\$140,000) to plan, design and construct improvements, including drainage, to Brahman road in the East Mesa area in Dona Ana county;

~~[45. twenty three thousand dollars (\$23,000) to plan, design and construct improvements, including asphalt overlay, to Carlton road in Dona Ana county;]~~ *LINE-ITEM VETO*

46. twenty thousand dollars (\$20,000) to plan, design and construct drainage improvements to Church street in Dona Ana county;

47. fifty thousand dollars (\$50,000) to plan, design and construct improvements, including drainage, to Comanche road in the East Mesa area in Dona Ana county;

48. seventy thousand dollars (\$70,000) to plan, design and construct school zone flashing lights in Dona Ana county;

49. eighty-five thousand dollars (\$85,000) to plan, design and construct improvements, including drainage, to Dragonfly avenue in the East Mesa area in Dona Ana county;

~~[50. twenty-five thousand dollars (\$25,000) to plan, design, construct and improve, including drainage, Dripping Springs road in Talavera in Dona Ana county;]~~LINE- ITEM VETO

51. twenty-five thousand dollars (\$25,000) to plan, design, purchase land for and construct improvements, including drainage, to roads in the El Milagro area in Dona Ana county;

~~[52. twenty-five thousand dollars (\$25,000) to plan, design and construct drainage and road improvements, including a traffic signal, on Picacho Hills drive in Dona Ana county;~~

~~53. fifty thousand dollars (\$50,000) to plan, design and construct drainage and road improvements in the Rasaaf Hills area of Dona Ana county;~~

~~54. twenty-five thousand dollars (\$25,000) to purchase land for, plan, design and construct drainage and road improvements to extend Shrode road in Dona Ana county;]~~LINE-ITEM VETO

55. one hundred fifteen thousand dollars (\$115,000) to plan, design and construct road and drainage improvements on Tellbrook road in Las Alturas in Dona Ana county;

56. fifty thousand dollars (\$50,000) to plan, design and construct drainage and road improvements to Via del Norte road in Dona Ana county;

57. fifty thousand dollars (\$50,000) to plan, design and construct drainage and road improvements to Vista del Oro road in Dona Ana county;

58. twenty-five thousand dollars (\$25,000) to purchase land for, plan, design and construct drainage and road improvements in Berino in Dona Ana county;

59. twenty-five thousand dollars (\$25,000) to plan, design and construct drainage and road improvements to provide secondary access in Chamberino in Dona Ana county;

60. fifty thousand dollars (\$50,000) to plan, design and construct improvements, including drainage, to Amparo road in Chaparral in Dona Ana county;

61. twenty-five thousand dollars (\$25,000) to plan, design and construct drainage and improvements to Alvarez road in La Union in Dona Ana county;

62. twenty-five thousand dollars (\$25,000) to plan, design and construct drainage and improvements to Visnaga road in La Union in Dona Ana county;

~~63. twenty-five thousand dollars (\$25,000) for engineering and design for the Sandhill arroyo drainage crossing on Del Rey boulevard in northeast Las Cruces in Dona Ana county;~~

~~64. seventy-five thousand dollars (\$75,000) to plan, design and construct road, sidewalk, curb, gutter and lighting improvements on Jefferson lane between Porter and Dunn in Las Cruces in Dona Ana county;]~~*LINE-ITEM VETO*

65. seventy thousand dollars (\$70,000) to plan, design and construct a multiuse path and lighting on Union avenue between Harrelson street and Apple Cross place in Las Cruces in Dona Ana county;

66. twenty thousand dollars (\$20,000) for a master plan for Valley drive, including bicycle paths, landscaping, drainage and a pedestrian corridor, in Las Cruces in Dona Ana county;

67. ten thousand dollars (\$10,000) to plan, design and construct road and utility improvements to calle Correo in Mesilla in Dona Ana county;

68. ten thousand dollars (\$10,000) to plan, design and construct road and utility improvements to calle Cuarta in Mesilla in Dona Ana county;

69. ten thousand dollars (\$10,000) to plan, design and construct road and utility improvements to calle de Cura in Mesilla in Dona Ana county;

70. ten thousand dollars (\$10,000) to plan, design and construct road and utility improvements to calle de Guadalupe in Mesilla in Dona Ana county;

71. thirty-eight thousand dollars (\$38,000) to plan, design and construct road and utility improvements to calle de Jardin in Mesilla in Dona Ana county;

72. ten thousand dollars (\$10,000) to plan, design and construct road and utility improvements to calle de San Albino in Mesilla in Dona Ana county;

73. ten thousand dollars (\$10,000) to plan, design and construct road and utility improvements to calle de Santa Ana in Mesilla in Dona Ana county;

74. seventy-four thousand dollars (\$74,000) to plan, design and construct road and utility improvements to calle Medanos in Mesilla in Dona Ana county;

75. ten thousand dollars (\$10,000) to plan, design and construct road and utility improvements to calle Quinta in Mesilla in Dona Ana county;

76. ten thousand dollars (\$10,000) to plan, design and construct road and utility improvements to calle Santiago in Mesilla in Dona Ana county;

~~77. seven thousand dollars (\$7,000) to plan, design and construct speed humps on Capri road in Mesilla in Dona Ana county;~~ *LINE-ITEM VETO*

78. twenty thousand dollars (\$20,000) to plan, design and construct sidewalks to comply with the Americans with Disabilities Act of 1990 in the plaza area in Mesilla in Dona Ana county;

79. twenty-four thousand dollars (\$24,000) to plan, design and construct drainage and road improvements to roads in Mesquite in Dona Ana county;

80. fifty thousand dollars (\$50,000) to purchase land for and plan, design and construct improvements, including drainage and traffic calming, on A street in Organ in Dona Ana county;

81. twenty thousand dollars (\$20,000) to purchase land for, plan, design and construct drainage and road improvements to Alto de las Flores road in San Miguel in Dona Ana county;

82. thirty-five thousand dollars (\$35,000) to plan, design and construct improvements, including chip sealing and asphalt, to Casas Lindas road in Santa Teresa in Dona Ana county;

83. twenty-five thousand dollars (\$25,000) to plan, design and construct road improvements, including asphalt overlay, to Edgemont road in Santa Teresa in Dona Ana county;

84. thirty thousand dollars (\$30,000) to plan, design and construct improvements to Killdeer road in Santa Teresa in Dona Ana county;

85. one hundred twenty thousand dollars (\$120,000) to plan, design and construct improvements to streets citywide in Carlsbad in Eddy county;

86. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements, including drainage improvements, to Diaz and Carrasco avenues in Hurley in Grant county;

87. one hundred sixty thousand dollars (\$160,000) to plan, design and construct street and drainage improvements, including pavement replacement, to Twelfth street, Swan street and Silver street in Silver City in Grant county;

88. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements to county roads, including cattle guards, in Harding county;

89. fifty thousand dollars (\$50,000) to plan, design and construct improvements to streets, including paving, in Roy in Harding county;

90. seventy thousand dollars (\$70,000) to plan, design and construct road and streetscape improvements, including landscaping, pedestrian facilities, crosswalks and lighting, in the downtown area of Eunice in Lea county;

91. fifty-five thousand dollars (\$55,000) to plan, design and construct improvements to Chino Loop road and school bus routes in the Gamarco water and sanitation district in McKinley county;

~~92. ten thousand dollars (\$10,000) to plan, design and construct road improvements to Livingston road in McKinley county;~~ *LINE-ITEM VETO*

93. sixty thousand dollars (\$60,000) to plan, design and construct road improvements to Lobo Canyon road in McKinley county;

94. fifty thousand dollars (\$50,000) to plan, design and construct improvements to county road 19 in McKinley county;

95. fifty-five thousand dollars (\$55,000) to plan, design and construct road improvements to county road 27 in McKinley county;

96. sixty thousand dollars (\$60,000) to plan, design and construct improvements to county road 4, known as Manuelito road, in McKinley county;

97. twenty-five thousand dollars (\$25,000) to plan, design and improve county road 43, known as Superman canyon road, in McKinley county;

98. sixty-five thousand dollars (\$65,000) to plan, design and construct road improvements to county road 6, known as Cousins road, in McKinley county;

~~99. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements, including drainage, to roads in Pinedale in McKinley county;~~ *LINE-ITEM VETO*

100. seventy-five thousand dollars (\$75,000) to plan, design and construct road improvements to Sundance road in McKinley county;

101. forty thousand dollars (\$40,000) to plan, design and construct a bridge and road improvements in Tse Bonito in McKinley county;

102. fifty thousand dollars (\$50,000) to plan, design and construct improvements to roads to comply with the provisions of the Americans with Disabilities Act of 1990, including curbs, gutters and sidewalks, in the Sky City housing area in Gallup in McKinley county;

103. fifty-five thousand dollars (\$55,000) to plan, design and construct improvements on Sweetwater road in the Iyanbito chapter of the Navajo Nation in McKinley county;

104. one hundred seven thousand five hundred dollars (\$107,500) to purchase and equip vehicles for use by an international standards organization-certified program serving the disabled in Bernalillo, Valencia and Sandoval counties;

105. eighty thousand dollars (\$80,000) to purchase buses and to plan, design and construct transit equipment, including bus facilities, for the north central regional transit district in Santa Fe, Taos, Rio Arriba and Los Alamos counties;

106. fifty thousand dollars (\$50,000) to plan, design, construct and improve streets at the Pueblo of Sandia in Sandoval county;

107. thirty-five thousand dollars (\$35,000) to plan, design and construct improvements, including paving, to county road 0005 in Rio Arriba county;

108. fifty thousand dollars (\$50,000) to plan, design and construct a bridge on county road 126 in La Mesilla in Rio Arriba county;

~~109. fifteen thousand dollars (\$15,000) to plan, design and construct improvements, including base coarse, asphalt, drainage and easements, to county road 089 in Chimayo in Rio Arriba county;~~

~~110. fifteen thousand dollars (\$15,000) to plan, design, construct and equip improvements, including a guardrail, on county road 082 in Cordova in Rio Arriba county;]~~*LINE-ITEM VETO*

111. thirty-five thousand dollars (\$35,000) to plan, design and construct street improvements, including pavement, curbs and gutters, in Elida in Roosevelt county;

112. sixty thousand dollars (\$60,000) to plan, design and construct improvements to roads, including paving, in the Elida municipal school district in Roosevelt county;

113. fifty thousand dollars (\$50,000) to plan, design and construct improvements on North Abilene road to Maple street in Portales in Roosevelt county;

114. fifty thousand dollars (\$50,000) to plan, design and construct street improvements, including sidewalks, curbs, gutters and paving, in Portales in Roosevelt county;

115. fifty thousand dollars (\$50,000) to plan, design and construct improvements to series 1000 roads in San Juan county;

~~[116. fifty thousand dollars (\$50,000) to purchase materials for improvements to series 2000 roads in San Juan county;]~~LINE-ITEM VETO

117. one hundred seventy-five thousand dollars (\$175,000) to plan, design and construct improvements to series 3000 roads in San Juan county;

118. one hundred thousand dollars (\$100,000) to plan, design and construct improvements to series 4000 roads in San Juan county;

119. one hundred thousand dollars (\$100,000) to plan, design and construct improvements to series 5000 roads in San Juan county;

120. thirty thousand dollars (\$30,000) to plan, design and construct improvements, including purchasing materials, to series 6000 roads in San Juan county;

121. one hundred thousand dollars (\$100,000) to plan, design and construct road improvements at the Nenahnezad chapter of the Navajo Nation in San Juan county;

122. one hundred five thousand dollars (\$105,000) to plan, design and construct drainage and road improvements in the Country Acres area of San Miguel county;

123. thirty-five thousand dollars (\$35,000) to plan, design, construct and improve the bridge on county road A-12-B in San Miguel county;

124. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements to county road A-3-A in San Ignacio Bula in San Miguel county;

125. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements to county road A-4-A in Canon de las Manuelitas in San Miguel county;

126. thirty thousand dollars (\$30,000) to plan, design and construct road and drainage improvements to county road B-26, known as Blanchard road, in San Miguel county;

127. thirty thousand dollars (\$30,000) to plan, design and construct road and drainage improvements to county road B-41-E in El Corruco and Ribera in San Miguel county;

128. thirty thousand dollars (\$30,000) to plan, design and construct road and drainage improvements to county road B-41-F in El Ancon in San Miguel county;

129. seventy-five thousand dollars (\$75,000) to plan, design and construct improvements to roads and drainage in Ojitos Frios in San Miguel county;

130. twenty-five thousand dollars (\$25,000) to plan, design and construct cattle guards on county roads in San Miguel county;

131. seventy thousand four hundred three dollars (\$70,403) to purchase chip seal for roads in San Miguel county;

132. fifty thousand dollars (\$50,000) to plan, design and construct road and drainage improvements in San Jose in San Miguel county;

133. fifty thousand dollars (\$50,000) to plan, design and construct an intersection on New Mexico highway 165 in the Placitas area of Sandoval county;

134. fifty thousand dollars (\$50,000) to purchase rights of way and plan, design, construct and repair pedestrian walkways, sidewalks and bridges in Jemez Springs in Sandoval county;

135. one hundred thousand dollars (\$100,000) to plan, design and construct bridge replacement and roadway resurfacing on Horseshoe Springs road at the San Antonio river crossing in La Cueva in Sandoval county;

136. twenty-five thousand dollars (\$25,000) to landscape Broadmoor drive in Rio Rancho in Sandoval county;

137. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements on La Barbaria road in Santa Fe county;

138. twenty-five thousand dollars (\$25,000) to plan, design and construct road improvements in La Tierra in Santa Fe county;

139. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements, including purchase of right of way, to county road 42 in Santa Fe county;

140. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements on county road 67G, known as Ravens Ridge road, in Santa Fe county;

141. ninety-nine thousand dollars (\$99,000) to plan, design and construct improvements, including paving, for the roads in the Eldorado area of Santa Fe county;

142. twenty-five thousand dollars (\$25,000) to plan, design and construct safety improvements on Alameda street near camino Alire in Santa Fe in Santa Fe county;

143. eighty thousand dollars (\$80,000) to plan, design and construct improvements to the entrance to Barrio de la Canada and the intersection of camino Alire and paseo de la Conquistadora in Santa Fe in Santa Fe county;

144. thirty thousand dollars (\$30,000) to plan, design and construct a grade-separated bicycle and pedestrian crossing of Saint Francis drive near Zia road and the arroyo Chamiso to connect with the Railrunner station in Santa Fe in Santa Fe county;

145. forty thousand dollars (\$40,000) to plan, design and construct improvements, including purchase and installation of related infrastructure and equipment, to Faulkner road in Socorro in Socorro county;

146. fifty thousand dollars (\$50,000) to purchase a non-invasive alcohol testing device for use statewide;

147. fifty thousand dollars (\$50,000) to plan, design, install and construct drainage improvements for the mainstreet project, including storm drainage, in Moriarty in Torrance county;

148. forty thousand dollars (\$40,000) to plan, design and construct improvements to streets in Willard in Torrance county;

149. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements to Dr. Michael Jenkins road in Clayton in Union county;

150. thirty-five thousand dollars (\$35,000) to plan, design and construct improvements to Armijo road in Valencia county;

151. one hundred fourteen thousand dollars (\$114,000) to install a railroad safety signal at the intersection of Elaine road and the railroad in Valencia county;

152. one hundred fifteen thousand dollars (\$115,000) to plan, design and construct railroad quiet zones in Belen and in Valencia county;

153. fifty thousand dollars (\$50,000) to plan, design and construct an access point and interchange at Miller road on interstate 25 in Belen in Valencia county;

154. one hundred seventy thousand dollars (\$170,000) to plan, design and reconstruct road and drainage improvements to New Mexico highway 314, including resurfacing, widening, striping, lighting, pedestrian trails and crossings, in Los Lunas and in Valencia county; and

155. ten thousand dollars (\$10,000) to plan, design and construct improvements to Chacon boulevard in Tome in Valencia county.

Chapter 92 Section 62 Laws 2008

Section 62. HIGHER EDUCATION DEPARTMENT PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the higher education department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. twenty thousand dollars (\$20,000) to plan, design, construct and renovate the Springer branch campus of Luna community college in Colfax county;

2. one hundred thirteen thousand dollars (\$113,000) to purchase and install equipment and related infrastructure to add a notification system to the phone system at Clovis community college in Curry county;

3. forty-five thousand dollars (\$45,000) to plan, design, construct, equip and furnish improvements to the baseball field at New Mexico junior college in Hobbs in Lea county;

~~4. twenty-five thousand dollars (\$25,000) to purchase and install information technology, including related equipment, furniture and infrastructure, for New Mexico junior college in Hobbs in Lea county;]~~ *LINE-ITEM VETO*

5. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish an oil and gas training ground at New Mexico junior college in Hobbs in Lea county;

6. twenty-five thousand dollars (\$25,000) to plan, design, construct, equip and furnish the North American wind research and training center, including infrastructure and site preparation, at Mesalands community college in Tucumcari in Quay county;

7. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish a school of energy facility at San Juan college in Farmington in San Juan county;

8. seventy-five thousand dollars (\$75,000) to plan, design, purchase and construct an educational and cultural activities facility at Luna community college in San Miguel county;

9. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish the auto collision lab at Luna community college in Las Vegas in San Miguel county;

10. thirty thousand dollars (\$30,000) to purchase and install playground equipment for the Nick Salazar early childhood center at Luna community college in Las Vegas in San Miguel county;

11. five hundred fifty-five thousand dollars (\$555,000) to equip and furnish a dental clinic and student health center at Santa Fe community college in Santa Fe in Santa Fe county; and

12. ten thousand dollars (\$10,000) to purchase a mobile broadcast vehicle for a public radio station operating from Santa Fe community college in Santa Fe in Santa Fe county.

Chapter 92 Section 63 Laws 2008

Section 63. BOARD OF REGENTS OF EASTERN NEW MEXICO UNIVERSITY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of eastern New Mexico university for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. one hundred fifty-seven thousand five hundred dollars (\$157,500) to plan, design, construct and equip the national flight test center at the Roswell branch campus of eastern New Mexico university in Chaves county;

2. fourteen thousand dollars (\$14,000) to purchase, install, equip and furnish a construction trades instructional laboratory at the Ruidoso branch community college of eastern New Mexico university in Lincoln county;

3. thirty-seven thousand dollars (\$37,000) to purchase equipment for the biological sciences program at eastern New Mexico university in Portales in Roosevelt county;

4. thirty thousand dollars (\$30,000) to purchase emergency tower phone equipment at eastern New Mexico university in Portales in Roosevelt county;

5. eighty-eight thousand dollars (\$88,000) to equip an academic training studio for the KENW television station at eastern New Mexico university in Portales in Roosevelt county;

6. twenty-five thousand dollars (\$25,000) to purchase equipment for the physical sciences program at eastern New Mexico university in Portales in Roosevelt county; and

7. forty thousand dollars (\$40,000) to purchase equipment for the voice laboratory at eastern New Mexico university in Portales in Roosevelt county.

Chapter 92 Section 64 Laws 2008

Section 64. BOARD OF REGENTS OF NEW MEXICO HIGHLANDS UNIVERSITY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of New Mexico highlands university for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. five thousand dollars (\$5,000) to purchase communication and broadcasting equipment for New Mexico highlands university in Las Vegas in San Miguel county; and
2. seventy-five thousand dollars (\$75,000) to plan, design, construct, purchase, install and improve the football field house, including video technology, lockers, showers, bathrooms and furnishings, at New Mexico highlands university in Las Vegas in San Miguel county.

Chapter 92 Section 65 Laws 2008

Section 65. BOARD OF REGENTS OF NEW MEXICO MILITARY INSTITUTE PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of New Mexico military institute for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. one hundred fifty thousand dollars (\$150,000) to renovate and equip the fitness center at the Godfrey athletic complex at New Mexico military institute in Roswell in Chaves county; and
2. sixty-five thousand dollars (\$65,000) to renovate and replace the pool mechanical system at New Mexico military institute in Roswell in Chaves county.

Chapter 92 Section 66 Laws 2008

Section 66. BOARD OF REGENTS OF NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of New Mexico institute of mining and technology for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. five thousand dollars (\$5,000) to purchase and install equipment, furniture and information technology, including related equipment, furniture and

infrastructure, at the Barelás job opportunity center of the New Mexico institute of mining and technology; and

2. fifty-four thousand dollars (\$54,000) to plan, design and construct improvements to the golf course at the New Mexico institute of mining and technology in Socorro county.

Chapter 92 Section 67 Laws 2008

Section 67. BOARD OF REGENTS OF NEW MEXICO STATE UNIVERSITY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of New Mexico state university for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. seventy-four thousand dollars (\$74,000) to plan, design, construct and equip improvements to the agricultural science center in Clovis in Curry county;

~~2. twenty-five thousand dollars (\$25,000) to renovate and expand the trades building at the Dona Ana branch campus of New Mexico state university in Las Cruces in Dona Ana county;~~ *LINE-ITEM VETO*

3. fifty thousand dollars (\$50,000) to plan, design, construct, improve and equip facilities, including purchasing and installing information technology, for the baseball program at New Mexico state university in Las Cruces in Dona Ana county;

4. seventy-five thousand dollars (\$75,000) to plan and design the Senator Pete V. Domenici institute for public policy at New Mexico state university in Las Cruces in Dona Ana county;

5. twenty thousand dollars (\$20,000) to plan, design, construct, improve and equip facilities, including purchasing and installing information technology, for the football program at New Mexico state university in Las Cruces in Dona Ana county;

6. thirty-five thousand dollars (\$35,000) to plan, design, construct and renovate the golf driving range at New Mexico state university in Las Cruces in Dona Ana county;

~~7. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish improvements to the school of hotel, restaurant and tourism management at New Mexico state university in Las Cruces in Dona Ana county;~~ *LINE-ITEM VETO*

8. forty thousand dollars (\$40,000) to purchase a catering van for the school of hotel, restaurant and tourism management at New Mexico state university in Las Cruces in Dona Ana county;

9. forty thousand dollars (\$40,000) to purchase and upgrade equipment for KRWG to convert to digital at New Mexico state university in Las Cruces in Dona Ana county;

10. sixty thousand dollars (\$60,000) to plan, design and purchase digital equipment for KRWG-FM and KRWG at New Mexico state university in Las Cruces in Dona Ana county;

11. fifty-five thousand dollars (\$55,000) to equip and furnish the recycling center at New Mexico state university in Las Cruces in Dona Ana county;

12. twenty thousand dollars (\$20,000) to plan, design and construct a wind-generated power research facility for New Mexico state university in Las Cruces in Dona Ana county;

13. thirty-five thousand dollars (\$35,000) to purchase textbooks for the Dona Ana branch of New Mexico state university in Dona Ana county;

14. one hundred ten thousand dollars (\$110,000) to purchase a horizontal grinder-chipper for use by the Carlsbad soil and water conservation district in Eddy county;

15. twenty-three thousand dollars (\$23,000) to purchase and equip a bobcat skid-steer loader and mulcher for the McKinley soil and water conservation district in McKinley county;

16. five hundred sixty-two thousand dollars (\$562,000) for a hydrogeologic study of the Sacramento mountains for the Otero soil and water conservation district in Otero, Lincoln and Chaves counties;

17. sixty-seven thousand dollars (\$67,000) to plan, design, construct, equip and furnish renovations of the general classroom buildings at the Alamogordo branch campus of New Mexico state university in Alamogordo in Otero county;

18. sixty-seven thousand dollars (\$67,000) to plan, design, construct, equip and furnish the southern New Mexico advanced technology education center at the Alamogordo branch campus of New Mexico state university in Otero county;

19. ten thousand dollars (\$10,000) to purchase textbooks for the Alamogordo branch of New Mexico state university in Otero county;

20. twenty-five thousand dollars (\$25,000) to plan, design, construct and equip landscape improvements for the agricultural science center in Tucumcari in Quay county;

21. forty thousand dollars (\$40,000) to purchase equipment and vehicles for the east Torrance soil and water conservation district in Torrance county;

22. sixty thousand dollars (\$60,000) to construct, equip and furnish a natural resource educational center for the east Torrance soil and water conservation district in Torrance county;

23. twenty-five thousand dollars (\$25,000) to plan, design, purchase and construct a building for the Northeastern soil and water conservation district in Clayton in Union county; and

24. one hundred fifty-three thousand dollars (\$153,000) to design and construct a visitor and education center and make land improvements for the Whitfield wildlife conservation area for the Valencia soil and water conservation district in Valencia county.

Chapter 92 Section 68 Laws 2008

Section 68. BOARD OF REGENTS OF NORTHERN NEW MEXICO STATE SCHOOL PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of northern New Mexico state school for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. three hundred five thousand dollars (\$305,000) to acquire land for, plan, design and construct a community center campus for social service and educational programs, including site improvements, equipment and furnishings, at northern New Mexico state school in Espanola in Rio Arriba county; and

2. fifty thousand dollars (\$50,000) to plan, design and construct the Espanola farmers' market and cultural center in Espanola in Rio Arriba county.

Chapter 92 Section 69 Laws 2008

Section 69. BOARD OF REGENTS OF THE UNIVERSITY OF NEW MEXICO PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of the university of New Mexico for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. one hundred thousand dollars (\$100,000) to complete construction, equip and furnish the cancer research and treatment center at the health sciences center of the university of New Mexico in Albuquerque in Bernalillo county;

2. four thousand dollars (\$4,000) to plan, design, construct, equip and furnish the learning center at the university of New Mexico in Albuquerque in Bernalillo county;

3. eighty-five thousand dollars (\$85,000) for camera and video equipment and related infrastructure for the athletic department at the university of New Mexico in Albuquerque in Bernalillo county;

~~[4. ten thousand dollars (\$10,000) to equip the athletic department with a plasma television and related equipment at the university of New Mexico in Albuquerque in Bernalillo county;~~

~~5. thirty thousand dollars (\$30,000) for equipment and vehicles for field maintenance for the athletic department at the university of New Mexico in Albuquerque in Bernalillo county;~~

~~6. ten thousand dollars (\$10,000) to equip the weight room in the athletic department at the university of New Mexico in Albuquerque in Bernalillo county;]~~*LINE-ITEM VETO*

7. one hundred twenty thousand dollars (\$120,000) to reconstruct the baseball field, including replacing sod, an irrigation system and fencing, at the university of New Mexico in Albuquerque in Bernalillo county;

~~[8. one hundred thousand dollars (\$100,000) to purchase and install equipment in the dental treatment rooms at Carrie Tingley hospital at the university of New Mexico in Bernalillo county;~~

~~9. twenty-five thousand dollars (\$25,000) to purchase and install equipment and information technology, including related equipment, furniture and infrastructure, for the center for Latin American research and outreach at the university of New Mexico in Albuquerque in Bernalillo county;]~~*LINE-ITEM VETO*

10. one hundred forty thousand dollars (\$140,000) to purchase commuter buses for the university of New Mexico in Albuquerque in Bernalillo county;

~~[11. one hundred twenty-five thousand dollars (\$125,000) for a conservation plan to include the north golf course and all property adjacent to the main campus for future expansion of the university's core functions, commercial development, urban ecology and wildlife preservation in Albuquerque in Bernalillo county;]~~*LINE-ITEM VETO*

12. twenty thousand dollars (\$20,000) to purchase and install magnetic resonance imaging equipment and related infrastructure at the health sciences center of the university of New Mexico in Albuquerque in Bernalillo county;

13. ninety-five thousand dollars (\$95,000) to purchase and install an x-ray unit and the lead lining of the x-ray room at the university of New Mexico hospital family health clinic in Albuquerque in Bernalillo county;

14. twenty-five thousand dollars (\$25,000) to design and renovate the basement at the law school at the university of New Mexico in Albuquerque in Bernalillo county;

15. twenty-five thousand dollars (\$25,000) to purchase, upgrade and install information technology, including related equipment, furniture and infrastructure, for moot courtrooms at the law school at the university of New Mexico in Albuquerque in Bernalillo county;

16. fifteen thousand dollars (\$15,000) to purchase equipment for the soccer program at the university of New Mexico in Albuquerque in Bernalillo county;

17. sixty-five thousand dollars (\$65,000) to plan, design and construct a team room at the university of New Mexico soccer and track complex in Bernalillo county;

18. twenty-five thousand dollars (\$25,000) to construct a sports medicine facility for men's basketball at the university of New Mexico in Albuquerque in Bernalillo county;

19. thirty thousand dollars (\$30,000) to purchase video equipment for sports programs at the university of New Mexico in Albuquerque in Bernalillo county;

20. eighty-five thousand dollars (\$85,000) to construct, expand, renovate, equip and furnish locker rooms for the women's soccer program at the university of New Mexico in Albuquerque in Bernalillo county;

21. thirty thousand dollars (\$30,000) to design and construct a locker room for the women's track and field program at the university of New Mexico in Albuquerque in Bernalillo county;

22. thirty-five thousand dollars (\$35,000) to plan, design and construct a health trail system for the Gallup branch campus of the university of New Mexico in McKinley county;

~~23. ten thousand dollars (\$10,000) for improvements at the library at the Gallup branch of the university of New Mexico in McKinley county;~~ *LINE-ITEM VETO*

24. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct the Sevilleta research station, including build-out of shell space, research laboratories, offices, support space and an assembly area, at the university of New Mexico in Socorro county; and

25. thirty-two thousand five hundred dollars (\$32,500) to design and construct an expansion to the Harwood museum in Taos in Taos county.

Chapter 92 Section 70 Laws 2008

Section 70. BOARD OF REGENTS OF WESTERN NEW MEXICO UNIVERSITY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of western New Mexico university for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. ninety thousand dollars (\$90,000) to plan, design and construct renovations to Eckles Hall dormitory at western New Mexico university in Silver City in Grant county;
2. twenty-four thousand dollars (\$24,000) to purchase and install information technology, including related equipment, furniture, infrastructure, telephone equipment and security technology, at western New Mexico university in Silver City in Grant county;
3. thirty thousand dollars (\$30,000) to plan, design, construct and renovate the student memorial building at western New Mexico university in Silver City in Grant county; and
- ~~4. fifty thousand dollars (\$50,000) to plan, design, construct, equip and furnish renovations of the multicultural affairs and student activities offices at the Tom McDonald student memorial center at western New Mexico university in Silver City in Grant county.]~~*LINE-ITEM VETO*

Chapter 92 Section 71 Laws 2008

Section 71. VETERANS' SERVICES DEPARTMENT PROJECTS-- GENERAL FUND.--The following amounts are appropriated from the general fund to the veterans' services department for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, for the following purposes:

1. five thousand dollars (\$5,000) to purchase equipment for the veterans' services department
government-issue hotline office in Bernalillo county;
2. thirteen thousand dollars (\$13,000) to purchase and equip a van for transportation of veterans in Dona Ana county; and
3. one hundred forty thousand dollars (\$140,000) to purchase and equip vehicles for veterans in southeastern New Mexico.

Chapter 92 Section 72 Laws 2008

Section 72. WASTEWATER FACILITY CONSTRUCTION LOAN FUND PROJECT--GENERAL FUND.--One million five hundred thousand dollars (\$1,500,000) is appropriated from the general fund to the wastewater facility construction loan fund for expenditure in fiscal years 2008 and subsequent fiscal years to carry out the provisions of the Wastewater Facility Construction Loan Act. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert.

Chapter 92 Section 73 Laws 2008

Section 73. MINERS' HOSPITAL PROJECT--MINERS' TRUST FUND.--Six hundred thousand dollars (\$600,000) is appropriated from the miners' trust fund to the miners' hospital for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to make capital improvements, including stuccoing and paving parking lots, and to purchase and install equipment, including a bone density scanner and anesthesia machine, at the miners' hospital in Raton in Colfax county.

Chapter 92 Section 74 Laws 2008

Section 74. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION PROJECT--INCOME FUND.--One million five hundred thousand dollars (\$1,500,000) is appropriated from the income fund of the public employees retirement association to the public employees retirement association for expenditure in fiscal years 2008 through 2012, unless otherwise provided in Section 2 of this act, to complete construction of the public employees retirement association office building in Santa Fe in Santa Fe county.

Chapter 92 Section 75 Laws 2008

Section 75. DEPARTMENT OF TRANSPORTATION PROJECT--STATE ROAD FUND.--Six hundred thousand dollars (\$600,000) is appropriated from the state road fund to the department of transportation for expenditure in fiscal years 2008 through 2012, unless otherwise provided for in Section 2 of this act, for construction of salt domes statewide.

Chapter 92 Section 76 Laws 2008

Section 76. SHORT-TERM SEVERANCE TAX BONDS--DEPARTMENT OF TRANSPORTATION--SPACEPORT AUTHORITY.--

A. After the principal amounts of all long-term severance tax bonds and principal and interest amounts of all supplemental and other short-term severance tax bonds to be issued in fiscal year 2008 have been determined, the state board of finance shall determine the amount of short-term severance tax bonds that may be issued pursuant to this section by subtracting from the balance of the severance tax bonding fund the sum of:

(1) the debt service scheduled to be paid during the remainder of the fiscal year on all outstanding severance tax bonds and supplemental severance tax bonds; and

(2) the amount necessary to meet all principal and interest payments on outstanding bonds payable from the severance tax bonding fund on the next two ensuing semiannual payment dates.

B. In addition to the bonds issued pursuant to Section 7-27-14 NMSA 1978 and notwithstanding the limitations of that section, in compliance with the Severance Tax Bonding Act, in fiscal year 2008, the state board of finance may issue and sell severance tax bonds with a term that does not extend beyond the fiscal year in which they are issued in an amount not exceeding the lesser of seven million five hundred thousand dollars (\$7,500,000) or fifty percent of the amount determined pursuant to Subsection A of this section when the state transportation commission certifies by resolution the need for the issuance of the bonds. The proceeds from the sale of the bonds are appropriated to the department of transportation for the purpose of completing those projects authorized in Paragraphs (1) and (3) through (38) of Subsection A of Laws 2003 (1st S.S.), Chapter 3, Section 27, provided that the department shall comply with the requirements of Subsections C, D and E of Section 67-3-59.4 NMSA 1978 and provided further that no severance tax bonds shall be issued pursuant to this subsection:

(1) until all other severance tax bonds and supplemental severance tax bonds to be issued in fiscal year 2008 have been issued; and

(2) unless the balance in the severance tax bonding fund as of the date that the bonds are issued is greater than the sum of:

(a) the debt service on the supplemental severance tax bonds to be issued pursuant to this subsection;

(b) the debt service scheduled to be paid during the remainder of the fiscal year on all outstanding severance tax bonds and supplemental severance tax bonds; and

(c) the amount necessary to meet all principal and interest payments on outstanding bonds payable from the severance tax bonding fund on the next two ensuing semiannual payment dates.

C. In addition to the bonds issued pursuant to Section 7-27-14 NMSA 1978 and notwithstanding the limitations of that section, in compliance with the Severance Tax Bonding Act, in fiscal year 2008, the state board of finance may issue and sell severance tax bonds with a term that does not extend beyond the fiscal year in which they are issued in an amount not exceeding the lesser of seven million five hundred thousand dollars (\$7,500,000) or fifty percent of the amount determined

pursuant to Subsection A of this section when the spaceport authority certifies by resolution the need for the issuance of the bonds. The proceeds from the sale of the bonds are appropriated to the spaceport authority to acquire rights of way, plan, design and construct drainage and paving improvements and transportation infrastructure improvements in Sierra county and Dona Ana county related to the spaceport, contingent upon a local government in addition to Dona Ana county enacting an ordinance imposing an increment of the county regional spaceport district gross receipts tax; provided that no severance tax bonds shall be issued pursuant to this subsection:

(1) until all other severance tax bonds and supplemental severance tax bonds to be issued in fiscal year 2008 have been issued; and

(2) unless the balance in the severance tax bonding fund as of the date that the bonds are issued is greater than the sum of:

(a) the debt service on the supplemental severance tax bonds to be issued pursuant to this subsection;

(b) the debt service scheduled to be paid during the remainder of the fiscal year on all outstanding severance tax bonds and supplemental severance tax bonds; and

(c) the amount necessary to meet all principal and interest payments on outstanding bonds payable from the severance tax bonding fund on the next two ensuing semiannual payment dates.

Chapter 92 Section 77 Laws 2008

Section 77. STATE MUSEUM AND MONUMENT FACILITIES AND EXHIBITS--NEW MEXICO FINANCE AUTHORITY--CULTURAL AFFAIRS DEPARTMENT.--Three hundred fifty-six thousand eight hundred fifty-three dollars (\$356,853) is appropriated from the balance in the program account pursuant to a loan previously made from the New Mexico finance authority to the cultural affairs department in fiscal year 2003 to the cultural affairs department for expenditure in fiscal years 2008 and subsequent fiscal years to improve and repair exhibits and facilities at state museums and monuments. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert.

Chapter 92 Section 78 Laws 2008

Section 78. PROJECT SCOPE--EXPENDITURES.--If an appropriation for a project authorized in this act is not sufficient to complete all the purposes specified, the appropriation may be expended for any portion of the purposes specified in the appropriation. Expenditures shall not be made for purposes other than those specified in the appropriation.

Chapter 92 Section 79 Laws 2008

Section 79. ART IN PUBLIC PLACES.--Pursuant to Section 13-4A-4 NMSA 1978 and where applicable, the appropriations authorized in this act include one percent for the art in public places fund.

Chapter 92 Section 80 Laws 2008

Section 80. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

SFL/Senate Bill 471, with emergency clause, partial veto

Approved March 5, 2008

LAWS 2008, CHAPTER 93

AN ACT

RELATING TO TAXATION; PROVIDING FOR A DISTRIBUTION OF LIQUOR EXCISE TAX REVENUES TO CERTAIN MUNICIPALITIES FOR THE TREATMENT OF STREET INEBRIATES.

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

Chapter 93 Section 1 Laws 2008

Section 1. Section 7-1-6.40 NMSA 1978 (being Laws 1997, Chapter 182, Section 1, as amended) is amended to read:

"7-1-6.40. DISTRIBUTION--LOCAL DWI GRANT FUND-- MUNICIPALITIES.--

A. A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the local DWI grant fund in an amount equal to forty-one and fifty hundredths percent of the net receipts attributable to the liquor excise tax.

B. A distribution pursuant to Section 7-1-6.1 NMSA 1978 of twenty thousand seven hundred fifty dollars (\$20,750) monthly from the net receipts attributable to the liquor excise tax shall be made to a municipality that is located in a class A county and that has a population according to the most recent federal decennial census of more than thirty thousand but less than sixty thousand. The distribution pursuant to this subsection shall be used by the municipality only for the provision of alcohol treatment and rehabilitation services for street inebriates."

Chapter 93 Section 2 Laws 2008

Section 2. APPLICABILITY.--The distribution pursuant to Section 1 of this act applies to revenue earned on a modified accrual basis after June 30, 2009.

Chapter 93 Section 3 Laws 2008

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2009.

SCORC/Senate Bill 164, as amended

Approved March 5, 2008

LAWS 2008, HOUSE JOINT RESOLUTION 2

A JOINT RESOLUTION

GRANTING APPROVAL TO THE STATE GAME COMMISSION FOR THE TRANSFER OF 32.539 ACRES, MORE OR LESS, OF LAND IN RIO ARRIBA COUNTY FROM THE DEPARTMENT OF GAME AND FISH TO THE ABIQUIU LAND GRANT.

WHEREAS, Section 13-6-2 NMSA 1978 authorizes state agencies to donate real property to other state agencies, local public bodies, school districts or state educational institutions; and

WHEREAS, approximately 32.539 acres, more or less, of land in Rio Arriba county currently held by the state game commission was given to the commission by the department of transportation for mitigation for highway work; and

WHEREAS, this parcel of land does not substantially meet the purposes of the state game commission and the department of game and fish as such purposes are set forth in Chapter 17 NMSA 1978; and

WHEREAS, this parcel of land was originally part of the common lands of the Abiquiu land grant, a political subdivision of the state, to which the land should be returned; and

WHEREAS, upon transfer, this parcel of land should be administered as part of the common lands of the Abiquiu land grant, with title reverting to the state if it ceases to be part of the common lands of the grant;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the state game commission may transfer to the Abiquiu land grant ownership of a certain parcel of land situated within the Abiquiu land grant in Rio Arriba county, being more particularly bounded and described as follows, to wit:

"Beginning at a point for Station 1217+29.11, a point on the left right of way line of NMP SP-F-052-1(203), County of Rio Arriba, State of New Mexico, said point also being 2305.23 feet south and 5699.30 feet East of a Monument marked TA3M & MC14 of the Town of Abiquiu Grant, thence S.27°27'W. a distance of 608.0 feet; thence S.50°56'W. a distance of 264.0 feet; thence S.66°24'W. a distance of 852.0 feet; thence S.28°54'W. a distance of 334.0 feet; thence S.38°03'W. a distance of 375.0 feet; thence S.55°42'W. a distance of 474.0 feet; thence S.83°57'W. a distance of 180.0 feet; thence N.81°11'W. a distance of 209.73 feet; thence N.14°46'E. a distance of 382.80 feet; thence N.49°46'E. a distance of 1568.0 feet; thence N.23°46'E. a distance of 548.50 feet; thence N.89°46'E. a distance of 920.69 feet to the point and place of beginning.

Containing 32.538 acres, more or less."; and

BE IT FURTHER RESOLVED that the above-described tract is to become and remain part of the common lands of the Abiquiu land grant, and in the event the described tract ceases to be part of the common lands of the land grant, ownership of the tract shall revert automatically to the state game commission; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the state game commission and the board of trustees of the Abiquiu land grant.

House Joint Resolution 2, with certificate of correction

LAWS 2008, HOUSE JOINT RESOLUTION 9

A JOINT RESOLUTION

RATIFYING AND APPROVING THE TRADE, SALE OR OTHER TRANSFER OF A BUILDING LOCATED ON THE UNIVERSITY OF NEW MEXICO CAMPUS IN BERNALILLO COUNTY.

WHEREAS, Section 13-6-3 NMSA 1978 requires ratification and approval of any trade of real property belonging to a state agency that involves a consideration of one hundred thousand dollars (\$100,000) or more; and

WHEREAS, the property control division of the general services department has title to a building located on the university of New Mexico campus in Bernalillo county, being more particularly described as follows:

"the state of New Mexico health department building currently housing the state laboratory, the office of the medical investigator and the veterinarian diagnostic services and located at 700 Camino de Salud on land owned by the board of regents of the university of New Mexico"; and

WHEREAS, the property will no longer be needed by the state when the new state laboratory is finished and should be sold to the board of regents of the university of New Mexico for cash or property or services in lieu of cash, traded for real estate that is owned by the board of regents of the university of New Mexico and located in close proximity to the new state laboratory or otherwise transferred to the board of regents of the university of New Mexico by a combination of such a sale and trade; and

WHEREAS, Senate Joint Resolution 12 of the first session of the forty-fifth legislature ratified and approved a proposed sale of the building to the board of regents of the university of New Mexico but such a sale is no longer desired;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the property control division of the general services department be authorized to trade, sell or otherwise transfer, by a combination of a trade or a sale, the described property to the board of regents of the university of New Mexico and that the trade, sale or other transfer is hereby ratified and approved pursuant to the provisions of Section 13-6-3 NMSA 1978, subject to the conditions of this resolution; and

BE IT FURTHER RESOLVED that the consideration for the sale may be in the form of cash or a combination of cash, property and services, subject to the conditions of this resolution; and

BE IT FURTHER RESOLVED that the ratification and approval of the proposed sale contained in Senate Joint Resolution 12 of the first session of the forty-fifth legislature is revoked; and

BE IT FURTHER RESOLVED that before the described property is traded, sold or otherwise transferred, both the property control division of the general services department and the board of regents of the university of New Mexico shall agree on one appraiser who shall appraise the property and all consideration to be given for the property; and

BE IT FURTHER RESOLVED that the described property shall not be traded, sold or otherwise transferred until the agreement for the trade, sale or transfer and the appraisal have been reviewed by the capitol buildings planning commission; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the property control division of the general services department and to the board of regents of the university of New Mexico.

LAWS 2008, HOUSE JOINT RESOLUTION 11

A JOINT RESOLUTION

APPROVING AN EASEMENT OF STATE GAME COMMISSION LAND LOCATED IN SAN MIGUEL COUNTY FOR A TERM GREATER THAN TWENTY-FIVE YEARS AND FOR CONSIDERATION THAT MAY EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000).

WHEREAS, Section 13-6-3 NMSA 1978 requires ratification and approval of any sale, trade or lease for a period exceeding twenty-five years in duration of real property belonging to a state agency if the sale, trade or lease is for a consideration of one hundred thousand dollars (\$100,000) or more; and

WHEREAS, the state game commission intends to grant to San Ignacio Joint Venture a nonexclusive easement for the term of ninety-nine years for the sole and exclusive purpose of access along and through a nonestablished existing roadway, including construction and maintenance of underground utilities within the confines of the roadway; and

WHEREAS, the easement includes the right to enter upon the real estate hereafter described within the county of San Miguel to construct, maintain and repair the structures within the easement and to sub-assign this easement to not more than forty-five single-family residential lots, provided each sub-assignment is appurtenant only to each residential lot; and

WHEREAS, the easement is located within the NW 1/4 of Township 16N, Range 12E, Section 19, N.M.P.M., San Miguel county, New Mexico and is more specifically an easement 30 feet in width along the now existing roadway that is approximately 2,525 feet in length; and

WHEREAS, the state game commission proposes to grant San Ignacio Joint Venture access to the easement for a term of ninety-nine years for a one-time consideration of twenty-five thousand dollars (\$25,000) of which five thousand five hundred thirty-six dollars ten cents (\$5,536.10) has already been received and applied to the sum of the consideration; and

WHEREAS, if San Ignacio Joint Venture or its assignees avail themselves of the right to install utilities within the easement, additional consideration shall be payable commencing with the date construction of the utilities begins in an amount set forth in the grant of easement; and

WHEREAS, because the exact consideration associated with the easement cannot be predetermined and because it is possible that the total consideration payable by San Ignacio Joint Venture and its assignees during the ninety-nine year term of the easement may exceed one hundred thousand dollars (\$100,000), this easement comes within the provisions of Section 13-6-3 NMSA 1978;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the grant of an easement by the state game commission to San Ignacio Joint Venture for consideration that may, during the ninety-nine year term of the easement, exceed one hundred thousand dollars (\$100,000) be approved pursuant to Section 13-6-3 NMSA 1978; and

BE IT FURTHER RESOLVED that copies of this joint resolution be transmitted to the chair of the state game commission, the attorney general and the business manager of San Ignacio Joint Venture.

HJC/House Joint Resolution 11

LAWS 2008, SENATE JOINT RESOLUTION 12

A JOINT RESOLUTION

GRANTING PRIOR APPROVAL TO THE PROPERTY CONTROL DIVISION OF THE GENERAL SERVICES DEPARTMENT FOR THE TRANSFER OF APPROXIMATELY TWO ACRES OF LAND AND IMPROVEMENTS IN TAOS COUNTY FROM THE GENERAL SERVICES DEPARTMENT TO THE TOWN OF TAOS.

WHEREAS, Section 13-6-2 NMSA 1978 authorizes state agencies to donate real property to other state agencies, local public bodies, school districts or state educational institutions; and

WHEREAS, a private nonprofit corporation currently provides alcoholism counseling and detoxification services in a state-owned facility that occupies approximately two acres of land held by the property control division of the general services department in Taos county; and

WHEREAS, the approximately two acres on which the rehabilitation facility is located is part of a parcel of land situated within private claims within the Cristoval de la Serna grant in Taos county, being more particularly bounded and described as follows, to wit:

A certain tract of land in Taos, Taos County, New Mexico; within the Cristoval de la Serna Grant; located within projected Section 29, Township 25 North, Range 13 East, NMPM; described as part of Tract 1, Map 5,

Survey 1, of the 1941 Taos County Reassessment Survey; also described as part of Parcel 24 of the Cowan and Associates listing of the Weimer properties; and more particularly described by metes and bounds as follows: BEGINNING at the NE corner of this tract, a 1/2 in. rebar set with an aluminum cap stamped '1808', from whence triangulation station "Bosque", a 1973 State Engineer Office brass cap monument found, bears; N 36° 00' 09" E, 3620.4 ft. distant, thence; S 01° 25' 37" E, 321.75 ft. to the SE corner, a 1/2 in. rebar set with an aluminum cap stamped '1807', set on the northerly right-of-way of Weimer Road, thence along said right-of-way; N 79° 07' 04" W, 380.00 ft. to the SW corner, a 1/2 in. rebar set with an aluminum cap stamped '1249', thence leaving said right-of-way; N 31° 08' 29" E, 298.89 ft. to the NW corner, a 1/2 in. rebar set with an aluminum cap stamped '1247', thence; S 88° 23' 36" E, 210.67 ft. to the POINT AND PLACE OF BEGINNING. This tract contains 2.000 acres, more or less; all as shown on a survey plat entitled "Weimer to State of NM Property Control Division", RGSS survey no. L4093, by James D. Crowl, NMLS no. 5213, dated 11/24/1993, and amended 12/16/1993."; and

WHEREAS, in order to maintain the facility in a clean, safe and habitable condition required to support its program, the private nonprofit corporation seeks local control and maintenance responsibility for the facility; and

WHEREAS, the town of Taos has offered to assume ownership of the facility and the approximately two acres of land used by the facility and to maintain the facility in a clean, safe and habitable condition; and

WHEREAS, the town of Taos has agreed to accept the rehabilitative services provided by the program as consideration in lieu of rent; and

WHEREAS, the property control division of the general services department has agreed to transfer ownership of the facility and the approximately two acres of land used by the facility to the town of Taos, contingent on the town of Taos bearing the expenses incurred to transfer title of the approximately two acres of land occupied by the program;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the property control division of the general services department may transfer by quitclaim deed to the town of Taos a parcel of approximately two acres on which the rehabilitation facility is located; and

BE IT FURTHER RESOLVED that the transfer of the approximately two-acre parcel be contingent on the town of Taos bearing the expenses incurred to transfer title to the town of Taos; and

BE IT FURTHER RESOLVED that prior to the transfer the capitol buildings planning commission shall review the transfer of the approximately two-acre parcel; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the property control division of the general services department, to the town council of the town of Taos, to the capitol buildings planning commission and to the board of directors of the private nonprofit corporation that

operates the rehabilitation program in the facility proposed

for transfer to the town of Taos.

SRC/Senate Joint Resolution 12

LAWS 2008, SENATE JOINT RESOLUTION 13

A JOINT RESOLUTION

RATIFYING AND APPROVING THE TRANSFER OF LAND IN CHAVES COUNTY FROM THE INTERSTATE STREAM COMMISSION TO THE TOWN OF HAGERMAN.

WHEREAS, Section 13-6-3 NMSA 1978 requires the ratification and approval of the legislature of any sale, trade or lease of real property belonging to a state agency that involves a consideration of one hundred thousand dollars (\$100,000) or more; and

WHEREAS, the interstate stream commission has title to five tracts of certain real property in Chaves county, being more particularly described as follows:

"A part of the SW/4 SE/4, and the NW/4 SE/4, and the SW/4 NE/4, Section 3, Township 14 South, Range 26 East, N.M.P.M., Chaves County, New Mexico, being more particularly described as:

From an aluminum-capped rebar set by NMPS9242 (and recorded in Plat Book Q of the Chaves County Clerk at page 19) to mark the South Quarter Corner of Section 3, Township 14 South, Range 26 East (and predicated on the South Line of the Southeast Quarter of said Section 3 being 2642.58 feet in length and having a bearing of South 89°47'00" West); Thence North 00°33'08" East a distance of 297.03 feet to a #4 Rebar with plastic cap marked "LS-8112", and the Point of Beginning; Thence North 00°33'08" East along the Longitudinal Quarter line a distance of 1029.50 feet to a #4 Rebar with plastic cap marked "LS-8112", which marks the Center-South 1/16th Corner of said Section 3; Thence continuing North 00°33'08" East along the Longitudinal Quarter line a distance of 1326.53 feet to a #4 Rebar with plastic cap marked "LS-8112", which marks the Center Quarter Corner of said Section 3; Thence continuing North 00°33'08" East along the Longitudinal Quarter line a distance of 1335.51 feet to a #4 Rebar with plastic cap marked "LS-8112", which marks the Center-North 1/16th corner of said Section 3; Thence North 89°37'21" East along the Sixteenth line a distance of 1282.77 feet to a #4 Rebar with plastic cap marked "LS-8112", which marks the North-East 1/16th Corner of

said Section 3. Thence South 00°00'16" West along the Sixteenth line a distance of 1338.93 feet to a #4 Rebar with plastic cap marked "LS-8112", which marks the Center-East 1/16th Corner of said Section 3; Thence South 00°00'15" East along the Sixteenth line a distance of 1326.46 feet to a #4 Rebar with plastic cap marked "LS-8112", which marks the South-East 1/16th Corner of said Section 3; Thence South 00°00'15" East along the Sixteenth line a distance of 1326.46 feet to a #4 Rebar with plastic cap marked "LS-8112", which marks the East 1/16th Corner Common to Sections 3 and 10; Thence South 89°47'00" West along the Section line a distance of 697.24 feet to a #4 Rebar with plastic cap marked "LS-8112"; Thence North 00°33'08" East, Parallel with the Longitudinal Quarter Line of said Section 3 a distance of 297.03 feet to a #4 Rebar with plastic cap marked "LS-8112"; Thence South 89°47'00" West parallel to the South Section line a distance of 624.06 feet to the point of Beginning; and containing 115.00 acres, more or less.;

PART S1/2SE1/4 SECTION 15, TOWNSHIP 14 SOUTH, RANGE 26 EAST, N.M.P.M.; BEGINNING AT THE SEc OF SECTION 15: THENCE S89°36'57"W ALONG THE SOUTH LINE OF SAID SECTION 15 A DISTANCE OF 2363.14 FEET; THENCE N00°07'39"W PARALLEL TO THE EAST LINE OF SAID SECTION 15 A DISTANCE OF 1321.17 FEET TO THE NORTH LINE OF THE S/2 SE/4 OF SAID SECTION 15; THENCE N89°36'24"E ALONG SAID NORTH LINE A DISTANCE OF 2363.14 FEET TO THE EAST LINE OF SAID SECTION 15; THENCE S00°07'39"E ALONG SAID EAST LINE A DISTANCE OF 1321.54 FEET TO THE POINT OF BEGINNING, CONTAINING 71.683 ACRES±. THIS PROPERTY IS SUBJECT TO A ROADWAY AFFECTING THE EAST LINE OF THIS PROPERTY PER BOOK B PAGE 4 OF COMMISSIONERS PROCEEDINGS APRIL 2, 1907 AND A ROADWAY AFFECTING THE SOUTH 30 FEET OF THIS PROPERTY PER BOOK B, PAGE 37 OF COMMISSIONERS PROCEEDINGS FEBRUARY 29, 1908.;

TOWNSHIP 14 SOUTH, RANGE 26 EAST N.M.P.M.;

THE SOUTH 100 ACRES OF THE W/2 W/2 OF SAID SECTION 14. THIS PROPERTY SUBJECT TO AN EASEMENT FOR IRRIGATION AND ACCESS FOR MAINTENANCE OF WELL AND IRRIGATION DITCH BETTER DESCRIBED AS BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH PROPERTY LINE OF PARCEL 3 AND THE EAST RIGHT OF WAY OF MONO ROAD; THENCE N89°45'50"E ALONG SAID NORTH PROPERTY LINE A DISTANCE OF 50.00 FEET; THENCE S00°07'39"E PARALLEL TO SAID EAST RIGHT OF WAY A DISTANCE OF 593.46 FEET; THENCE N89°02'49"E A DISTANCE OF 50.00 FEET; THENCE S00°07'39"E A DISTANCE OF 68.55 FEET; THENCE N89°02'49"E A DISTANCE OF 1192.82 FEET TO THE EAST PROPERTY LINE OF PARCEL 3. THENCE S00°08'02"E ALONG SAID EAST PROPERTY LINE A DISTANCE OF 50.00 FEET; THENCE S89°02'49"W A DISTANCE OF 1292.84 FEET TO THE EAST RIGHT OF WAY OF MONO ROAD; THENCE N00°07'39"W ALONG SAID RIGHT OF WAY A DISTANCE OF 713.36 FEET TO THE POINT OF BEGINNING. PROPERTY IS ALSO SUBJECT TO A ROADWAY AFFECTING THE WEST LINE OF THIS PROPERTY PER BOOK B PAGE 4 OF COMMISSIONERS PROCEEDINGS APRIL 2, 1907 AND A ROADWAY AFFECTING

THE SOUTH 30 FEET OF THIS PROPERTY PER BOOK B PAGE 37 OF COMMISSIONERS PROCEEDINGS FEBRUARY 29, 1908.;

PART N1/2SE1/4, SECTION 15, TOWNSHIP 14 SOUTH, RANGE 26 EAST, N.M.P.M.; BEGINNING AT THE SEc N/2 SE/4 OF SAID SECTION 15 FROM WHICH THE SEc OF SAID SECTION 15 BEARS S00°07'39"E A DISTANCE OF 1321.54 FEET; THENCE S89°36'24"W ALONG THE SOUTH LINE OF SAID N/2 SE/4 A DISTANCE OF 2363.14 FEET; THENCE N00°07'39"W PARALLEL TO THE EAST LINE OF SAID SECTION 15 A DISTANCE OF 804.97 FEET; THENCE N89°36'24"E PARALLEL TO SAID SOUTH LINE N/2 SE/4 A DISTANCE OF 2363.14 FEET TO THE EAST LINE OF SAID SECTION 15; THENCE S00°07'39"E ALONG SAID EAST LINE A DISTANCE OF 804.97 FEET TO THE POINT OF BEGINNING, CONTAINING 43.689 ACRES±. THIS PROPERTY IS SUBJECT TO A ROADWAY AFFECTING THE EAST PROPERTY LINE PER BOOK B PAGE 4 OF COMMISSIONERS PROCEEDINGS APRIL 2, 1907.; and

Section 3: SE/4SE/4, less and except the North 198' of the East 136'

Section 10: lots 1, 2, 11 and 12 West Hagerman Addition (SE/4NE/4), NE/4NE/4

Section 11: NW/4NW/4, SW/4NW/4, NW/4SW/4

All in Township 14 South, Range 26 East, N.M.P.M., Chaves County, New Mexico

containing 236.657 acres more or less.";

and

WHEREAS, the described real property is no longer suitable for agricultural uses because the water rights have been separated and transferred; and

WHEREAS, the described real property should be utilized in order to control the environmental issues of land erosion, blowing dust and noxious weed growth; and

WHEREAS, the town of Hagerman has suffered catastrophic financial losses as a result of the decrease in

agricultural-based businesses; and

WHEREAS, the described real property would be used by the town of Hagerman for economic development, new housing and other facilities serving the community; and

WHEREAS, the interstate stream commission desires to donate and the town of Hagerman desires to accept title to the described real property;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the interstate stream commission be authorized to donate or otherwise transfer the described real property to the town of Hagerman and that the donation or other transfer is hereby ratified and approved pursuant to the provisions of Section 13-6-3 NMSA 1978; and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the chair of the interstate stream commission

and to the mayor and town council of the town of Hagerman.

Senate Joint Resolution 13

OFFICIAL ROSTER OF THE STATE OF NEW MEXICO

UNITED STATES SENATORS

Jeff Bingaman, Democrat, Silver City

Pete V. Domenici, Republican, Albuquerque

UNITED STATES REPRESENTATIVES

Heather Wilson, Republican, 1st Congressional District - Albuquerque

Steve Pearce, Republican, 2nd Congressional District - Picacho

Tom Udall, Democrat, 3rd Congressional District - Santa Fe

STATE OFFICIALS

Bill Richardson, Democrat	Governor
Diane D. Denish, Democrat	Lieutenant Governor
Mary Herrera, Democrat	Secretary of State
Hector H. Balderas, Democrat	State Auditor
James B. Lewis, Democrat	State Treasurer
Gary K. King, Democrat	Attorney General

Patrick H. Lyons, Republican
Lands

Commissioner of Public

Jason A. Marks, Democrat
District 1

Public Regulation Commissioner,

David W. King, Republican
District 2

Public Regulation Commissioner,

Ben R. Lujan, Democrat
District 3

Public Regulation Commissioner,

Carol K. Sloan, Democrat
District 4

Public Regulation Commissioner,

Sandy R. Jones, Democrat
District 5

Public Regulation Commissioner,

JUSTICES OF THE SUPREME COURT

Edward L. Chavez, Chief Justice

Patricio M. Serna

Petra Jimenez Maes

Richard C. Bosson

Charles W. Daniels

JUDGES OF THE COURT OF APPEALS

Jonathan B. Sutin, Chief Judge

A. Joseph Alarid

Lynn Pickard

Michael D. Bustamante

Cynthia A. Fry

Celia Foy Castillo

Ira Robinson

Roderick T. Kennedy

Michael E. Vigil

James J. Wechsler

DISTRICT COURTS

DISTRICT JUDGES

FIRST JUDICIAL DISTRICT

Santa Fe, Los Alamos & Rio Arriba Counties

Division	I	Barbara J. Vigil	Santa Fe
Division	II	James A. Hall	Santa Fe
Division	III	Raymond Z. Ortiz	Santa Fe
Division	IV	Michael Vigil	Santa Fe
Division	V	Tim Garcia	Santa Fe
Division	VI	Stephen Pfeffer	Santa Fe
Division	VII	Daniel Sanchez	Santa Fe

SECOND JUDICIAL DISTRICT

Bernalillo County

Division	I	William E. Parnell	Albuquerque
Division	II	Stan Whitaker	Albuquerque
Division	III	M. Monica Zamora	Albuquerque
Division	IV	Linda M. Vanzi	Albuquerque
Division	V	Ted C. Baca	Albuquerque
Division	VI	Neil C. Candelaria	Albuquerque
Division	VII	John J. Romero, Jr.	Albuquerque
Division	VIII	Ross C. Sanchez	Albuquerque

Division	IX	Mark A. Macaron	Albuquerque
Division	X	Theresa Baca	Albuquerque
Division	XI	Ernest J. Romero	Albuquerque
Division	XII	Clay Campbell	Albuquerque
Division	XIII	Valerie A. Huling	Albuquerque
Division	XIV	J. Michael Kavanaugh	Albuquerque
Division	XV	Richard J. Knowles	Albuquerque
Division	XVI	Carl Butkus	Albuquerque
Division	XVII	Nan G. Nash	Albuquerque
Division	XVIII	Denise Barela-Shepherd	Albuquerque
Division	XIX	Albert S. "Pat" Murdoch	Albuquerque
Division	XX	William F. Lang	Albuquerque
Division	XXI	Angela A. Jewell	Albuquerque
Division	XXII	Deborah Davis Walker	Albuquerque
Division	XXIII	Geraldine E. Rivera	Albuquerque
Division	XXIV	Kenneth H. Martinez	Albuquerque
Division	XXV	Elizabeth Whitefield	Albuquerque
Division	XXVI	Charles Brown	Albuquerque

THIRD JUDICIAL DISTRICT
Doña Ana County

Division	I	Robert E. Robles	Las Cruces
Division	II	Stephen Bridgforth	Las Cruces
Division	III	Mike Murphy	Las Cruces

	Division	IV	Jerald A. Valentine	Las Cruces
	Division	V	Lisa C. Schultz	Las Cruces
	Division	VI	Jim T. Martin	Las Cruces
Cruces	Division	VII	Douglas R. Driggers	Las
Cruces	Division	VIII	Fernando R. Macias	Las

**FOURTH JUDICIAL DISTRICT
Guadalupe, Mora & San Miguel Counties**

	Division	I	Eugenio S. Mathis	Las Vegas
	Division	II	Abigail Aragon	Las Vegas
	Division	III	Gerald E. Baca	Las Vegas

**FIFTH JUDICIAL DISTRICT
Lea, Eddy & Chaves Counties**

	Division	I	J. Richard Brown	Carlsbad
	Division	II	Freddie J. Romero	Roswell
	Division	III	William A. McBee	Lovington
	Division	IV	Don Maddox	Lovington
	Division	V	Jane Shuler Gray	Carlsbad
	Division	VI	Ralph D. Shamus	Roswell
	Division	VII	Gary L. Clingman	Lovington
Roswell	Division	VIII	Charles C. Currier, III	
Carlsbad	Division	IX	Thomas A. Rutledge	
Chaves	Division	X	Steven L. Bell	

**SIXTH JUDICIAL DISTRICT
Grant, Hidalgo & Luna Counties**

	Division	I	Henry R. Quintero	Silver City
	Division	II	Gary M. Jeffreys	Deming
City	Division	III	J. C. Robinson	Silver
	Division	IV	George D. Viramontes	
Deming				

**SEVENTH JUDICIAL DISTRICT
Catron, Sierra, Socorro & Torrance Counties**

	Division	I	Edmund H. Kase, III	Socorro
	Division	II	Matthew G. Reynolds	
Socorro				
	Division	III	Kevin R. Sweaza	Estancia

**EIGHTH JUDICIAL DISTRICT
Colfax, Union & Taos Counties**

	Division	I	John M. Paternoster	Taos
	Division	II	Sam B. Sanchez	Raton

**NINTH JUDICIAL DISTRICT
Curry & Roosevelt Counties**

	Division	I	Stephen K. Quinn	Clovis
	Division	II	Drew Tatum	Clovis
Portales	Division	III	Ted Hartley	Clovis,
	Division	IV	Robert S. Orlik	Clovis,
Portales				
	Division	V	David P. Reeb, Jr.	Portales

**TENTH JUDICIAL DISTRICT
Quay, DeBaca, & Harding Counties**

Division	I	Donald C. Schutte	Tucumcari
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**ELEVENTH JUDICIAL DISTRICT
McKinley & San Juan Counties**

Division	I	William C. Birdsall	Aztec
Division	II	Louis DePauli, Jr.	Gallup
Division	III	Sandra A. Price	Farmington
Division	IV	John Arthur Dean, Jr.	Farmington
Division	V	Grant L. Foutz	Gallup
Division	VI	Thomas J. Hynes	Aztec
Division	VII	Robert A. Aragon	Gallup
Division	VIII	Karen L. Townsend	Aztec

**TWELFTH JUDICIAL DISTRICT
Lincoln & Otero Counties**

Division	I	Jerry H. Ritter, Jr.	Alamogordo
Division	II	James Waylon Counts	Alamogordo
Division	III	Karen L. Parsons	Carrizozo
Division	IV	Frank K. Wilson	Alamogordo

**THIRTEENTH JUDICIAL DISTRICT
Cibola, Sandoval & Valencia Counties**

Division	I	John W. Pope	Los Lunas
Division	II	George P. Eichwald	Bernalillo
Division	III	William "Bill" Sanchez	Los Lunas

Division	IV	Camille E. Olguin	Grants
Division	V	Louis P. McDonald	Bernalillo
Division	VI	Violet C. Otero	Los Lunas
Division	VII	John F. Davis	Bernalillo

DISTRICT ATTORNEYS

First Judicial District Alamos	Henry R. Valdez	Santa Fe, Rio Arriba & Los Bernalillo
Second Judicial District	Kari E. Brandenburg	Bernalillo
Third Judicial District	Susana Martinez	Doña Ana
Fourth Judicial District	Richard D. Flores	San Miguel, Guadalupe & Mora
Fifth Judicial District	Floyd "Terry" Haake, Jr.	Chaves, Eddy & Lea
Sixth Judicial District	Mary Lynne Newell	Grant, Luna & Hidalgo
Seventh Judicial District Torrance	Clint Wellborn	Catron, Sierra, Socorro &
Eighth Judicial District	Donald A. Gallegos	Taos, Colfax & Union
Ninth Judicial District	Matthew E. Chandler	Curry & Roosevelt
Tenth Judicial District	Ronald W. Reeves	Quay, Harding & DeBaca
Eleventh Judicial District	Lyndy D. Bennett	Division 1: San Juan
	Karl R. Gillson	Division 2: McKinley
Twelfth Judicial District	Scot D. Key	Otero & Lincoln
Thirteenth Judicial District	Lemuel L. Martinez	Sandoval, Valencia & Cibola

STATE SENATORS SERVING IN THE FORTY-EIGHTH LEGISLATURE STATE OF NEW MEXICO

**SECOND SESSION
CONVENED JANUARY 15, 2008**

District City	County	Name	
1	San Juan Farmington	William E. Sharer	
2	San Juan	Steven P. Neville	Aztec
3	McKinley & San Juan Tohatchi	John Pinto	
4	Cibola & McKinley	Lidio G. Rainaldi	Gallup
5	Los Alamos, Rio Arriba & Santa Fe Española	Richard C. Martinez	
6	Los Alamos, Rio Arriba, Santa Fe & Taos Questa	Carlos R. Cisneros	
7	Colfax, Curry, Harding, Quay, San Miguel, Clovis Taos & Union	Clinton D. Harden, Jr.	
8	Guadalupe, Mora, San Miguel, Santa Fe Las Vegas & Torrance	Pete Campos	
9	Sandoval Corrales	Steve Komadina	
10	Bernalillo & Sandoval Albuquerque	John C. Ryan	
11	Bernalillo Albuquerque	Linda M. Lopez	
12	Bernalillo Albuquerque	Gerald Ortiz y Pino	
13	Bernalillo Albuquerque	Dede Feldman	
14	Bernalillo & Valencia Albuquerque	James G. Taylor	
15	Bernalillo Albuquerque	H. Diane Snyder	
16	Bernalillo Albuquerque	Cisco McSorley	
17	Bernalillo Albuquerque	Shannon Robinson	
18	Bernalillo Albuquerque	Mark Boitano	
19	Bernalillo, Sandoval, Santa Fe & Torrance Sandia Park	Sue Wilson Beffort	

	20	Bernalillo Albuquerque	William H. Payne	
	21	Bernalillo & Sandoval Albuquerque	Kent L. Cravens	
	22	Bernalillo, Cibola, McKinley, Rio Arriba Crownpoint & Sandoval	Linda M. Lovejoy	
	23	Bernalillo & Sandoval Albuquerque	Joseph J. Carraro	
Fe	24	Santa Fe	Nancy Rodriguez	Santa
Fe	25	Santa Fe	John T. L. Grubestic	Santa
	26	Bernalillo Albuquerque	Bernadette M. Sanchez	
	27	Chaves, Curry, DeBaca & Roosevelt Portales	Stuart Ingle	
City	28	Catron, Grant & Socorro	Howie C. Morales	Silver
	29	Valencia Belen	Michael S. Sanchez	
	30	Cibola, Socorro & Valencia Grants	David Ulibarri	
	31	Doña Ana Las Cruces	Cynthia Nava	
	32	Chaves, Eddy, Lincoln & Otero Roswell	Timothy Z. Jennings	
	33	Chaves & Lincoln Roswell	Rod Adair	
	34	Eddy & Otero Carlsbad	Vernon D. Asbill	
	35	Hidalgo, Luna & Sierra Deming	John Arthur Smith	
	36	Doña Ana Doña Ana	Mary Jane M. Garcia	
	37	Doña Ana & Sierra Las Cruces	Leonard Lee Rawson	
Cruces	38	Doña Ana	Mary Kay Papen	Las
	39	Los Alamos, Mora, Sandoval, San Miguel, San Jose Santa Fe & Taos	Phil A. Griego	
	40	Doña Ana & Otero	Dianna J. Duran	

Tularosa

41 Eddy & Lea

Carroll H. Leavell

Jal

42 Chaves, Curry, Eddy, Lea & Roosevelt

Gay G. Kernan

Hobbs

**STATE REPRESENTATIVES SERVING IN THE FORTY-EIGHTH
LEGISLATURE
STATE OF NEW MEXICO
SECOND SESSION
CONVENED JANUARY 15, 2008**

District	County	Name
1	San Juan Farmington	Thomas C. Taylor
2	San Juan Farmington	James R.J. Strickler
3	San Juan Aztec	Paul C. Bandy
4	San Juan Shiprock	Ray Begaye
5	McKinley & San Juan Gallup	John Peña
6	Cibola & McKinley Grants	George J. Hanosh
7	Valencia Tome	Andrew J. Barreras
8	Valencia Belen	Elias Barela
9	McKinley & San Juan Gallup	Patricia A. Lundstrom
10	Bernalillo & Valencia Albuquerque	Henry "Kiki" Saavedra
11	Bernalillo Albuquerque	Rick Miera
12	Bernalillo Albuquerque	Ernest H. Chavez
13	Bernalillo Albuquerque	Daniel P. Silva
14	Bernalillo Albuquerque	Miguel P. Garcia
15	Bernalillo Albuquerque	Teresa A. Zanetti
16	Bernalillo Albuquerque	Antonio "Moe" Maestas
17	Bernalillo	Edward C. Sandoval

Albuquerque	
18 Bernalillo	Gail Chasey
Albuquerque	
19 Bernalillo	Sheryl Williams Stapleton
Albuquerque	
20 Bernalillo	Richard J. Berry
Albuquerque	
21 Bernalillo	Mimi Stewart
Albuquerque	
22 Bernalillo, Sandoval & Santa Fe	Kathy A. McCoy
Cedar Crest	
23 Bernalillo & Sandoval	Eric A. Youngberg
Albuquerque	
24 Bernalillo	Janice E. Arnold-Jones
Albuquerque	
25 Bernalillo	Danice R. Picraux
Albuquerque	
26 Bernalillo	Al Park
Albuquerque	
27 Bernalillo	Larry A. Larrañaga
Albuquerque	
28 Bernalillo	Jimmie C. Hall
Albuquerque	
29 Bernalillo	Thomas A. Anderson
Albuquerque	
30 Bernalillo	Justine Fox-Young
Albuquerque	
31 Bernalillo	William "Bill" R. Rehm
Albuquerque	
32 Luna	Dona G. Irwin
Deming	
33 Doña Ana	Joni Marie Gutierrez
Mesilla	
34 Doña Ana	Mary Helen Garcia
Las Cruces	
35 Doña Ana	Antonio Lujan
Las Cruces	
36 Doña Ana	Andy Nuñez
Hatch	
37 Doña Ana	Jeff Steinborn
Las Cruces	
38 Grant, Hidalgo & Sierra	Dianne Miller Hamilton
Silver City	
39 Grant & Hidalgo	Rodolpho "Rudy" S. Montoya
Silver City	
40 Mora, Rio Arriba, San Miguel, Santa Fe	Nick L. Salazar

Ohkay Owingeh & Taos	
41 Rio Arriba, Sandoval & Taos	Debbie A. Rodella
Ohkay Owingeh	
42 Taos	Roberto "Bobby" J. Gonzales
Taos	
43 Los Alamos, Sandoval & Santa Fe Los Alamos	Jeannette O. Wallace
44 Sandoval	Jane E. Powdrell-Culbert
Corrales	
45 Santa Fe	Jim R. Trujillo
Santa Fe	
46 Santa Fe	Ben Lujan
Santa Fe	
47 Santa Fe	Peter F. Wirth
Santa Fe	
48 Santa Fe	Luciano "Lucky" Varela
Santa Fe	
49 Catron, Socorro & Valencia Socorro	Don L. Tripp
50 Bernalillo, Santa Fe & Torrance Stanley	Rhonda S. King
51 Otero	Gloria C. Vaughn
Alamogordo	
52 Doña Ana	Joseph Cervantes
Las Cruces	
53 Doña Ana & Otero	Nathan P. Cote
Las Cruces	
54 Eddy & Otero	William J. Gray
Artesia	
55 Eddy	John A. Heaton
Carlsbad	
56 Lincoln & Otero	W. C. "Dub" Williams
Glencoe	
57 Chaves, Lincoln & Otero Roswell	Daniel R. Foley
58 Chaves Roswell	Candy Spence Ezzell
59 Chaves, Lincoln & Otero Roswell	Nora Espinoza
60 Sandoval	Thomas E. Swisstack
Rio Rancho	
61 Lea	Shirley A. Tyler
Lovington	
62 Lea	Donald E. Bratton
Hobbs	

63	DeBaca, Curry, Guadalupe & Roosevelt	Jose A. Campos
	Santa Rosa	
64	Curry	Anna M. Crook
	Clovis	
65	Bernalillo, McKinley, Rio Arriba,	James Roger Madalena
	Jemez Pueblo	
	& Sandoval	
66	Chaves, Eddy, Lea & Roosevelt	Keith J. Gardner
	Roswell	
67	Curry, Harding, Quay, Roosevelt,	Brian K. Moore
	Clayton	
	San Miguel & Union	
68	Colfax, Guadalupe, Mora, San Miguel	Thomas A. Garcia
	Ocate	
	& Taos	
69	Cibola, McKinley & San Juan	W. Ken Martinez
	Grants	
70	San Miguel & Torrance	Richard D. Vigil
	Ribera	