

1 SENATE JOINT MEMORIAL 9

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Pete Campos

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10 A JOINT MEMORIAL

11 REQUESTING STATE, COUNTY, LOCAL AND TRIBAL GOVERNMENTS TO
12 PRODUCE AN INVENTORY OF CAPITAL OUTLAY PROJECTS THAT HAVE
13 BROKEN GROUND BUT ARE INCOMPLETE.

14
15 WHEREAS, since the 2009 legislative session, more
16 attention has been focused on reverting capital outlay funding
17 than on appropriating money for new projects throughout the
18 state; and

19 WHEREAS, the legislature covered the fiscal year 2009
20 budget shortfall in a timely manner through the introduction
21 and passage of a "solvency package", which among other things
22 helped to shore up the state's general fund balances by voiding
23 previous nonrecurring general fund appropriations for capital
24 projects and sweeping balances in other special funds into the
25 general fund; and

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1 WHEREAS, early in fiscal year 2010, it became evident that
2 actual recurring revenue estimates were much lower than
3 projected, with a resulting shortfall larger than the 2009
4 solvency package covered; and

5 WHEREAS, the 2009 legislature directed the legislative
6 council service, the legislative finance committee and the
7 department of finance and administration to review all
8 unexpended capital outlay appropriations and identify one
9 hundred fifty million dollars (\$150,000,000) of voidable
10 general fund projects, which resulted in reverting and sweeping
11 balances of projects determined to be at a standstill; and

12 WHEREAS, a similar process needs to be put into place to
13 continue the legislature's oversight of capital outlay projects
14 once money has been appropriated to them; and

15 WHEREAS, in the past few years the legislature has focused
16 on reviewing funded capital outlay projects to identify those
17 that are "shovel ready" and to void those that have been tying
18 up state funds for many years; and

19 WHEREAS, difficult as it is to take away what has been
20 given to state, county, local and tribal governments in the
21 form of capital outlay projects, as this legislative session
22 begins, the legislative finance committee reports that there is
23 approximately six hundred eighty-eight million dollars
24 (\$688,000,000) outstanding for about one thousand five hundred
25 capital projects; and

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1 WHEREAS, it is clear that a review process for capital
2 outlay needs to continue in order to ensure that the state's
3 money is being spent wisely and appropriately; and

4 WHEREAS, there is no nonrecurring general fund money
5 available for capital outlay in the 2011 legislative session;
6 and

7 WHEREAS, throughout the state there are capital projects
8 that have been begun and remain unfinished due to lack of
9 sufficient and continued funding for these projects;

10 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
11 STATE OF NEW MEXICO that all state, county, local and tribal
12 governmental entities be requested to conduct a survey that
13 inventories capital project progress and assesses which
14 projects have been completed and which remain unfinished and in
15 need of further funding to complete; and

16 BE IT FURTHER RESOLVED that each governmental entity
17 report its findings to the legislative council service, the
18 legislative finance committee and the department of finance and
19 administration by July 30, 2011; and

20 BE IT FURTHER RESOLVED that representatives from the
21 legislative council service, legislative finance committee and
22 department of finance and administration report the inventory
23 of capital projects throughout the state that require further
24 funding to complete and recommend procedures to the second
25 session of the fiftieth legislature for finishing these

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1 projects; and

2 BE IT FURTHER RESOLVED that copies of this memorial be
3 transmitted to the directors of the legislative council service
4 and the legislative finance committee and the secretary of
5 finance and administration.

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