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HOUSE BILL 410

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

INTRODUCED BY

Jim R. Trujillo

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:

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:

.184824.1

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 (a) at the end of the expenditure period
2 as set forth in this act, if the expenditure period is changed
3 in this act; or

4 (b) if the expenditure period is not
5 changed in this act, pursuant to the time frame set forth in
6 the law that originally authorized the severance tax bonds or
7 the time frame set forth in any law that has previously
8 reauthorized the expenditure of the proceeds, whichever is
9 later; and

10 (2) all remaining balances from the proceeds
11 of severance tax bonds issued for a project that has been
12 reauthorized in this act shall revert to the severance tax
13 bonding fund three months after the reversion date for the
14 unexpended balances.

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

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

21 A. Except as otherwise provided in another section
22 of this act:

23 (1) the unexpended balance of an appropriation
24 from the general fund or other state fund that has been changed
25 in this act shall revert:

.184824.1

underscored material = new
~~[bracketed material] = delete~~

1 (a) at the end of the expenditure period
2 as set forth in this act, if the expenditure period is changed
3 in this act; or

4 (b) if the expenditure period is not
5 changed in this act, pursuant to the time frame set forth in
6 the law in which the original appropriation was made or the
7 time frame set forth in any law that has previously changed the
8 appropriation, whichever is later; and

9 (2) all remaining balances of an appropriation
10 from the general fund or other state fund that has been changed
11 in this act shall revert three months after the reversion date
12 for the unexpended balance.

13 B. Except as provided in Subsection D of this
14 section, the balance of an appropriation made from the general
15 fund shall revert pursuant to Subsection A of this section to
16 the capital projects fund.

17 C. Except as provided in Subsection D of this
18 section, the balance of an appropriation made from other state
19 funds shall revert pursuant to Subsection A of this section to
20 the originating fund.

21 D. The balance of an appropriation made from the
22 general fund or other state fund to the Indian affairs
23 department or the aging and long-term services department for a
24 project located on lands of an Indian nation, tribe or pueblo
25 shall revert pursuant to Subsection A of this section to the

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underscored material = new
[bracketed material] = delete

1 tribal infrastructure project fund.

2 E. For the purpose of this section, "unexpended
3 balance" means the remainder of an appropriation after
4 reserving for unpaid costs and expenses covered by binding
5 written obligations to third parties.

6 SECTION 3. MINERS' HOSPITAL DISPENSING SYSTEM--CHANGE TO
7 FLOORING REPLACEMENT--EXTEND TIME--MINERS' TRUST FUND.--The
8 unexpended balance of the appropriation from the miners' trust
9 fund to the miners' hospital of New Mexico in Laws 2009,
10 Chapter 125, Section 44 to purchase and install a dispensing
11 system shall not be expended for the original purpose but is
12 changed to replace flooring at the long-term care facility at
13 the miners' hospital, also known as miners' Colfax medical
14 center, in Raton in Colfax county. The time of expenditure is
15 extended through fiscal year 2014.

16 SECTION 4. COCHITI LAKE ROAD AND HIGHWAY IMPROVEMENTS--
17 EXTEND TIME--GENERAL FUND.--The time of expenditure for the
18 department of transportation project in Subsection 189 of
19 Section 75 of Chapter 42 of Laws 2007 for road and highway
20 improvements in Cochiti Lake in Sandoval county is extended
21 through fiscal year 2013.

22 SECTION 5. SANTA FE READINESS CENTER--CHANGE TO ARMORY
23 REPAIRS STATEWIDE--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX
24 BONDS.--The unexpended balance of the appropriation to the
25 department of military affairs in Laws 2008, Chapter 92,

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underscoring material = new
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1 Section 22 to renovate the Santa Fe aviation readiness center
2 in Santa Fe county shall not be expended for the original
3 purpose but is appropriated to the state armory board to
4 renovate and repair armories statewide. The time of
5 expenditure is extended through fiscal year 2014.

6 SECTION 6. CABRESTO DAM REPAIRS--EXTEND TIME--SEVERANCE
7 TAX BONDS.--The time of expenditure for the office of the state
8 engineer project in Subsection 10 of Section 14 of Chapter 92
9 of Laws 2008 for repairs and improvements to Cabresto dam in
10 Taos county is extended through fiscal year 2013.

11 SECTION 7. EMERGENCY.--It is necessary for the public
12 peace, health and safety that this act take effect immediately.