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SENATE BILL 5

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY
Joseph A. Fidel

AN ACT

RELATING TO CAPITAL EXPENDITURES; AUTHORIZING THE ISSUANCE OF
SEVERANCE TAX BONDS; REAUTHORIZING UNEXPENDED OR UNENCUMBERED
BALANCES; CHANGING THE PURPOSE OF CERTAIN BOND
AUTHORIZATIONS; MAKING APPROPRIATIONS; DECLARING AN
EMERGENCY.

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

Section 1. SEVERANCE TAX BONDS--AUTHORIZATIONS--
APPROPRIATION OF PROCEEDS.--

A. The state board of finance may issue and sell
severance tax bonds in compliance with the Severance Tax
Bonding Act in an amount not to exceed the total of the
amounts authorized for purposes specified in this act. The
board 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

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1 sufficiently to justify the issuance and that the project can
2 proceed to contract within a reasonable time. The board
3 shall further take the appropriate steps necessary to comply
4 with the Internal Revenue Code of 1986, as amended. Proceeds
5 from the sale of the bonds are appropriated for the purposes
6 specified in this act.

7 B. The agencies named in this act shall certify to
8 the state board of finance when the money from the proceeds
9 of the severance tax bonds authorized in this section is
10 needed for the purposes specified in the applicable section
11 of this act.

12 C. If the specified agency has not certified the
13 need for the issuance of the bonds by the end of fiscal year
14 2002, the authorization provided in this act shall be void.

15 D. Unless otherwise specified in this act, any
16 unexpended or unencumbered balance remaining from the
17 proceeds of severance tax bonds issued pursuant to this act
18 at the end of fiscal year 2004 shall revert to the severance
19 tax bonding fund.

20 Section 2. SEVERANCE TAX BONDS--GENERAL SERVICES
21 DEPARTMENT--PURPOSES.--Pursuant to the provisions of Section
22 1 of this act, upon certification by the property control
23 division of the general services department that the need
24 exists for the issuance of the bonds, ten million dollars
25 (\$10,000,000) is appropriated to the capital program fund to
continue converting the state's microwave radio system from
analog to digital technology.

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1 Section 3. SEVERANCE TAX BONDS--DEPARTMENT OF
2 ENVIRONMENT--PURPOSE.--Pursuant to the provisions of Section
3 1 of this act, upon certification by the department of
4 environment that the need exists for the issuance of the
5 bonds, five hundred thousand dollars (\$500,000) is
6 appropriated to the wastewater facility construction loan
7 fund to carry out the provisions of the Wastewater Facility
8 Construction Loan Act.

9 Section 4. MINERS' TRUST FUND--PURPOSES.--

10 A. One hundred twenty-eight thousand dollars
11 (\$128,000) is appropriated from the miners' trust fund to the
12 miners' Colfax medical center for expenditure in fiscal years
13 2000 and 2001 in the following amounts for the following
14 purposes:

15 (1) fifty thousand dollars (\$50,000) to
16 purchase a high-speed computer tomography scanner;

17 (2) thirty-three thousand dollars (\$33,000)
18 to purchase an infant ventilator; and

19 (3) forty-five thousand dollars (\$45,000) to
20 purchase a tractor.

21 B. Any unexpended or unencumbered balance
22 remaining at the end of fiscal year 2001 shall revert to the
23 miners' trust fund.

24 Section 5. SEVERANCE TAX BONDS--COMMISSION ON HIGHER
25 EDUCATION--PURPOSES.--Pursuant to the provisions of Section 1
of this act, upon certification by the commission on higher
education that the need exists for the issuance of the bonds,

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1 ten million dollars (\$10,000,000) is appropriated to the
2 commission on higher education for the following purposes:

3 A. three million dollars (\$3,000,000) for
4 infrastructure renovation, deferred maintenance, site utility
5 piping, improvements and roof repairs at higher educational
6 institutions throughout the state;

7 B. two million dollars (\$2,000,000) to make
8 improvements at higher educational institutions and
9 constitutional special schools throughout the state to meet
10 the requirements of the federal Americans with Disabilities
11 Act of 1990; and

12 C. five million dollars (\$5,000,000) for
13 information technology at higher educational institutions and
14 constitutional special schools throughout the state.

15 Section 6. GENERAL FUND--EDUCATIONAL TECHNOLOGY FUND--
16 PURPOSE.--Five hundred thousand dollars (\$500,000) is
17 appropriated from the general fund to the educational
18 technology fund for expenditure in fiscal year 2000 and
19 subsequent fiscal years for the purpose of implementing the
20 provisions of the Technology for Education Act. Any
21 unexpended or unencumbered balance remaining at the end of
22 any fiscal year shall not revert.

23 Section 7. REAUTHORIZATION--CLYDE TOMBAUGH SPACE
24 THEATER AND PLANETARIUM--SEVERANCE TAX BONDS--CHANGE IN
25 PURPOSE.--The severance tax bond proceeds appropriated to the
office of cultural affairs pursuant to Subsection F of
Section 4 of Chapter 118 of Laws 1998 to reroof the Clyde

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1 Tombaugh space theater and planetarium in Alamogordo in Otero
2 county shall not be expended for the original purpose, but
3 are appropriated to upgrade and make improvements to the
4 Tombaugh space theater and planetarium, including compliance
5 with uniform building codes and to meet the requirements of
6 the federal Americans with Disabilities Act of 1990.

7 Section 8. PROJECT SCOPE--EXPENDITURES.--If an
8 appropriation for a project authorized in this act is not
9 sufficient to complete all the purposes specified, the
10 appropriation may be expended for any portion of the purposes
11 specified in the appropriation. Expenditures shall not be
12 made for purposes other than those specified in the
13 appropriation.

14 Section 9. ART IN PUBLIC PLACES.--Pursuant to Section
15 13-4A-4 NMSA 1978 and where applicable, the appropriations
16 authorized in this act include one percent for the art in
17 public places fund.

18 Section 10. EMERGENCY.--It is necessary for the public
19 peace, health and safety that this act take effect
20 immediately.
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