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HOUSE BILL 736

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

John A. Heaton

AN ACT

RELATING TO THE CONSTRUCTION INDUSTRIES DIVISION; CREATING THE
CONSTRUCTION INDUSTRIES DIVISION ENTERPRISE FUND; AMENDING,
REPEALING AND ENACTING SECTIONS OF NMSA 1978; MAKING AN
APPROPRIATION.

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

Section 1. Section 9-16-14 NMSA 1978 (being Laws 1987,
Chapter 298, Section 1, as amended) is amended to read:

"9-16-14. REGULATION AND LICENSING DEPARTMENT OPERATING
FUND. --

A. There is established in the state treasury the
"regulation and licensing department operating fund" to be
administered by the department.

B. All money received by the administrative
services division, [~~the construction industries division~~] the

underscored material = new
[bracketed material] = delete

1 financial institutions division, the securities division and
2 the manufactured housing division, other than money earmarked
3 for revolving funds, shall be deposited with the state
4 treasurer and held in a separate suspense account for each
5 division. In the seventy-sixth fiscal year, all money
6 deposited in the suspense accounts shall be transferred monthly
7 to the general fund until the sum of all money transferred to
8 the general fund equals the total amount deposited and
9 transferred to the general fund from those divisions in the
10 seventy-fourth fiscal year. All additional money deposited in
11 the divisions' suspense accounts during the seventy-sixth
12 fiscal year shall be transferred to the regulation and
13 licensing department operating fund on June 30, 1988.

14 C. In the seventy-seventh fiscal year and each
15 fiscal year thereafter, on the last day of each month, the
16 department shall transfer all money received during the month
17 from the divisions' suspense accounts, as provided for in
18 Subsection B of this section, to the general fund. "

19 Section 2. A new section of the Construction Industries
20 Licensing Act, Section 60-13-8.2, is enacted to read:

21 "60-13-8.2. [NEW MATERIAL] CONSTRUCTION INDUSTRIES
22 ENTERPRISE FUND CREATED--PURPOSE--APPROPRIATION. --

23 A. The "construction industries enterprise fund" is
24 created in the state treasury. The fund shall consist of
25 legislative appropriations to the fund; fees charged by the

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[bracketed material] = delete

1 division pursuant to the Construction Industries Licensing Act,
2 except for those fees subject to the provisions of Section
3 60-13-8.1 NMSA 1978; funds received from other state agencies;
4 gifts, grants, donations and bequests to the fund; and income
5 from investment of the fund. Money in the fund shall not
6 revert to any other fund at the end of a fiscal year.
7 Expenditures from the fund shall be made on warrants drawn by
8 the secretary of finance and administration signed by the
9 director of the construction industries division of the
10 regulation and licensing department or the director's
11 authorized representative.

12 B. The fund shall be administered by the division,
13 and money in the fund is appropriated to the division for the
14 purpose of carrying out the provisions of the Construction
15 Industries Licensing Act. "

16 Section 3. REPEAL. --Section 60-13-21 NMSA 1978 (being
17 Laws 1967, Chapter 199, Section 24, as amended) is repealed.

18 Section 4. EFFECTIVE DATE. --The effective date of the
19 provisions of this act is July 1, 2005.