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HOUSE BILL 225

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

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:

.181196.1

underscored material = new
[bracketed material] = delete

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[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:

.181196.1

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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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. DE BACA COUNTY TRANSFER STATION EQUIPMENT
7 PURCHASE--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX
8 BONDS.--The department of environment project in Subsection 15
9 of Section 15 of Chapter 92 of Laws 2008 to purchase equipment
10 for a transfer station in De Baca county may include designing,
11 constructing and equipping a transfer station. The time of
12 expenditure is extended through fiscal year 2012.

13 Section 4. ALAMOGORDO PUBLIC LIBRARY CONSTRUCTION--EXPAND
14 PURPOSE--GENERAL FUND.--The local government division project
15 in Subsection 497 of Section 68 of Chapter 42 of Laws 2007 to
16 plan, design, construct, equip and furnish a public library in
17 Alamogordo in Otero county may include upgrades, repairs and
18 renovation.

19 Section 5. EAST SANDOVAL LATERAL ACEQUIA
20 CONSTRUCT--CHANGE TO SOUTH UPPER ACEQUIA IN JEMEZ
21 SPRINGS--GENERAL FUND.--The unexpended balance of the
22 appropriation to the interstate stream commission in Subsection
23 60 of Section 67 of Chapter 42 of Laws 2007 and reappropriated
24 in Laws 2008, Chapter 83, Section 355 for a diversion dam on
25 the east Sandoval lateral acequia in Sandoval county shall not

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[~~bracketed material~~] = delete

1 be expended for the original or reappropriated purpose but is
2 changed to plan, design and construct a diversion dam on the
3 south upper acequia in Jemez Springs in Sandoval county.

4 Section 6. EMERGENCY.--It is necessary for the public
5 peace, health and safety that this act take effect immediately.

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