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HOUSE BILL 190

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

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:

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

underscored material = new  
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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:

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underscored material = new  
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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  
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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. CALLE DE JARDIN IMPROVEMENTS--CHANGE TO CALLE  
7 PARIAN IMPROVEMENTS--EXTEND TIME--GENERAL FUND.--The unexpended  
8 balance of the appropriation to the department of  
9 transportation in Subsection 71 of Section 61 of Chapter 92 of  
10 Laws 2008 for improvements to calle de Jardin in Mesilla in  
11 Dona Ana county shall not be expended for the original purpose  
12 but is changed to plan, design and construct road and utility  
13 improvements to calle Parian in Mesilla. The time of  
14 expenditure is extended through fiscal year 2014.

15 SECTION 4. HEALTH AND HUMAN SERVICES COMPLEX--CHANGE TO  
16 IMPROVEMENTS AT STATE BUILDINGS STATEWIDE--SEVERANCE TAX  
17 BONDS.--The unexpended balance of the appropriation to the  
18 capital program fund in Subsection 15 of Section 7 of Chapter  
19 125 of Laws 2009 for a health and human services complex in  
20 Santa Fe in Santa Fe county shall not be expended for the  
21 original purpose but is changed to renovate state buildings  
22 statewide.

23 SECTION 5. CLAUNCH-PINTO SOIL AND WATER CONSERVATION  
24 DISTRICT MULTIPURPOSE BUILDING--EXTEND TIME--SEVERANCE TAX  
25 BONDS.--The time of expenditure for the board of regents of New  
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underscoring material = new  
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1 Mexico state university project in Subsection 5 of Section 28  
2 of Chapter 92 of Laws 2008 for a multipurpose building for the  
3 Claunuch-Pinto soil and water conservation district in  
4 Mountainair in Torrance county is extended through fiscal year  
5 2014.

6 SECTION 6. HUMAN SERVICES DEPARTMENT INFORMATION

7 TECHNOLOGY--CHANGE TO SCHOOL BUS PURCHASE STATEWIDE--CHANGE  
8 AGENCY--SEVERANCE TAX BONDS.--Five million dollars (\$5,000,000)  
9 of the unexpended balance of the appropriation to the human  
10 services department in Laws 2011 (S.S.), Chapter 5, Section 11  
11 for information technology shall not be expended for the  
12 original purpose but is appropriated to the public education  
13 department to purchase school buses statewide.

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