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SENATE BILL 163

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO CAPITAL EXPENDITURES; 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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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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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 C of this
14 section, the balance of an appropriation made from the general
15 fund or other state fund shall revert pursuant to Subsection A
16 of this section to the originating fund.

17 C. The balance of an appropriation made from the
18 general fund or other state fund to the Indian affairs
19 department or the aging and long-term services department for a
20 project located on lands of an Indian nation, tribe or pueblo
21 shall revert pursuant to Subsection A of this section to the
22 tribal infrastructure project fund.

23 D. For the purpose of this section, "unexpended
24 balance" means the remainder of an appropriation after
25 reserving for unpaid costs and expenses covered by binding

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1 written obligations to third parties.

2 **SECTION 3. MANUELITO CHAPTER SENIOR CENTER--CHANGE TO**
3 **MULTIPURPOSE BUILDING--CHANGE AGENCY--SEVERANCE TAX BONDS.--**The
4 unexpended balance of the appropriation to the aging and long-
5 term services department in Subsection 19 of Section 5 of
6 Chapter 226 of Laws 2013 to plan, design and construct a senior
7 center in the Manuelito chapter of the Navajo Nation in
8 McKinley county shall not be expended for the original purpose
9 but is appropriated to the Indian affairs department to plan,
10 design and construct a multipurpose building in the Manuelito
11 chapter.

12 **SECTION 4. LOS RANCHOS DE ATRISCO ACEQUIA LITTLE GARDENS**
13 **LATERAL--CHANGE AGENCY--SEVERANCE TAX BONDS.--**The unexpended
14 balance of the appropriation to the interstate stream
15 commission in Subsection 1 of Section 29 of Chapter 226 of Laws
16 2013 to plan, design and construct improvements to the Little
17 Gardens lateral of Los Ranchos de Atrisco acequia in Bernalillo
18 county is appropriated to the middle Rio Grande conservancy
19 district for that purpose.

20 **SECTION 5. SOUTH VALLEY MULTIPURPOSE FAMILY SERVICES**
21 **CENTER--CHANGE TO ATRISCO COMMUNITY ADULT DAYCARE AND RESPITE**
22 **FACILITY--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--**The
23 unexpended balance of the appropriation to the local government
24 division of the department of finance and administration in
25 Subparagraph (a) of Paragraph (8) of Subsection A of Section 18

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1 of Chapter 105 of Laws 2010 for a multipurpose family services
2 center in the south valley in Bernalillo county shall not be
3 expended for the original purpose but is appropriated to the
4 aging and long-term services department to purchase land and a
5 building and to plan, design, renovate, construct, furnish and
6 equip an adult daycare and respite facility in the Atrisco
7 community within the city of Albuquerque in Bernalillo county.
8 The time of expenditure is extended through fiscal year 2016.

9 SECTION 6. DEAF CULTURE MULTIPURPOSE CENTER AND APARTMENT
10 COMPLEX--EXTEND TIME--SEVERANCE TAX BONDS.--The time of
11 expenditure for the commission for deaf and hard-of-hearing
12 persons project originally authorized in Subsection 26 of
13 Section 24 of Chapter 92 of Laws 2008 and reauthorized in Laws
14 2012, Chapter 63, Section 5 for a deaf culture multipurpose
15 center and apartment complex for the deaf and deaf-blind in
16 Albuquerque in Bernalillo county is extended through fiscal
17 year 2016.

18 SECTION 7. ROOSEVELT ROAD A NORTH RECONSTRUCTION--CHANGE
19 TO ROOSEVELT COUNTY ROADS RESTORATION AND RESURFACING--
20 SEVERANCE TAX BONDS.--The unexpended balance of the
21 appropriation to the department of transportation in Subsection
22 56 of Section 36 of Chapter 226 of Laws 2013 to plan, design
23 and construct improvements, including shoulder rehabilitation,
24 drainage and chip sealing, and to reconstruct north Roosevelt
25 road A in Roosevelt county shall not be expended for the

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1 original purpose but is changed to plan, design and construct
2 chip seal restoration and resurfacing on Roosevelt county
3 roads.

4 SECTION 8. SANOSTEE CHAPTER SAFETY EASEMENT--CHANGE TO
5 UNITED STATES HIGHWAY 491 AND NAVAJO ROUTE 34 JUNCTION SAFETY
6 IMPROVEMENTS--SEVERANCE TAX BONDS.--The unexpended balance of
7 the appropriation to the department of transportation in
8 Subsection 57 of Section 36 of Chapter 226 of Laws 2013 to
9 plan, design and construct a safety easement off of United
10 States highway 491 to the Sanostee chapter of the Navajo Nation
11 in San Juan county shall not be expended for the original
12 purpose but is changed to plan, design and construct safety
13 improvements at the junction of United States highway 491 and
14 Navajo service route 34 in the Sanostee chapter.

15 SECTION 9. EMERGENCY.--It is necessary for the public
16 peace, health and safety that this act take effect immediately.