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SENATE BILL 172

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO CAPITAL EXPENDITURES; REAUTHORIZING OR
REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES,
EXTENDING EXPENDITURE PERIODS 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:

(a) at the end of the expenditure period

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1 as set forth in this act, if the expenditure period is changed
2 in this act; or

3 (b) if the expenditure period is not
4 changed in this act, pursuant to the time frame set forth in
5 the law that originally authorized the severance tax bonds or
6 the time frame set forth in any law that has previously
7 reauthorized the expenditure of the proceeds, whichever is
8 later; and

9 (2) all remaining balances from the proceeds
10 of severance tax bonds issued for a project that has been
11 reauthorized in this act shall revert to the severance tax
12 bonding fund three months after the reversion date for the
13 unexpended balances.

14 B. For the purpose of this section, "unexpended
15 balance" means the remainder of an appropriation after
16 reserving for unpaid costs and expenses covered by binding
17 written obligations to third parties.

18 SECTION 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
19 REVERSIONS.--

20 A. Except as otherwise provided in another section
21 of this act:

22 (1) the unexpended balance of an appropriation
23 from the general fund or other state fund that has been changed
24 in this act shall revert:

25 (a) at the end of the expenditure period

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1 as set forth in this act, if the expenditure period is changed
2 in this act; or

3 (b) if the expenditure period is not
4 changed in this act, pursuant to the time frame set forth in
5 the law in which the original appropriation was made or the
6 time frame set forth in any law that has previously changed the
7 appropriation, whichever is later; and

8 (2) all remaining balances of an appropriation
9 from the general fund or other state fund that has been changed
10 in this act shall revert three months after the reversion date
11 for the unexpended balance.

12 B. Except as provided in Subsection C of this
13 section, the balance of an appropriation made from the general
14 fund or other state fund shall revert pursuant to Subsection A
15 of this section to the originating fund.

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

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

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1 **SECTION 3. CATRON COUNTY COMMUNICATIONS IMPROVEMENTS--**
2 EXPAND PURPOSE--SEVERANCE TAX BONDS.--The local government
3 division project in Subsection 86 of Section 28 of Chapter 3 of
4 Laws 2015 (S.S.) to plan, design, construct, equip and furnish
5 communications improvements, including repeaters and related
6 equipment, in Reserve in Catron county may include such
7 communications improvements in all of Catron county.

8 **SECTION 4. HIDALGO COUNTY RODEO MEDICAL CLINIC**
9 CONSTRUCTION--CHANGE TO HIDALGO COUNTY FAIRGROUNDS
10 IMPROVEMENTS--SEVERANCE TAX BONDS.--The unexpended balance of
11 the appropriation to the local government division in
12 Subsection 124 of Section 22 of Chapter 66 of Laws 2014 to
13 plan, design and construct a medical clinic in Rodeo in Hidalgo
14 county shall not be expended for the original purpose but is
15 changed to plan, design, construct, renovate and equip the
16 Hidalgo county fairgrounds in Hidalgo county.

17 **SECTION 5. ROCK SPRINGS CHAPTER VETERANS FACILITY--CHANGE**
18 TO ROCK SPRINGS CHAPTER MULTIPURPOSE CENTER--EXTEND TIME--
19 SEVERANCE TAX BONDS.--The unexpended balance of the
20 appropriation to the Indian affairs department in Subsection 19
21 of Section 28 of Chapter 226 of Laws 2013 to plan, design and
22 construct a veterans facility in the Rock Springs chapter of
23 the Navajo Nation in McKinley and San Juan counties shall not
24 be expended for the original purpose but is changed to plan,
25 design and construct a multipurpose center for that chapter.

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1 The time of expenditure is extended through fiscal year 2018.

2 SECTION 6. TSE'DAA'KAAN CHAPTER IRRIGATION SYSTEM
3 IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of
4 expenditure for the Indian affairs department project
5 originally authorized in Subparagraph (c) of Paragraph (7) of
6 Subsection A of Section 18 of Chapter 105 of Laws 2010 and
7 reauthorized to the local government division in Laws 2012,
8 Chapter 63, Section 70 and further reauthorized to the Indian
9 affairs department in Laws 2014, Chapter 64, Section 42 for
10 irrigation system improvements, including rebuilding the pump
11 house and replacing pumps, for the Hogback irrigation project
12 in the Tse'Daa'Kaan chapter of the Navajo Nation in San Juan
13 county is extended through fiscal year 2018.

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