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HOUSE BILL 751

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

JAMES G. TAYLOR

AN ACT

RELATING TO COUNTIES; AMENDING A SECTION OF THE COUNTY INDUSTRIAL REVENUE BOND ACT TO REMOVE A PROVISION REQUIRING PRIOR MUNICIPAL APPROVAL FOR CERTAIN COUNTY PROJECTS.

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

Section 1. Section 4-59-4 NMSA 1978 (being Laws 1975, Chapter 286, Section 4, as amended) is amended to read:

"4-59-4. ADDITIONAL POWERS CONFERRED ON COUNTIES. -- In addition to any other powers which it may now have, each county shall have the following powers:

A. to acquire, whether by construction, purchase, gift or lease, one or more projects, which shall be located within this state and shall be located within the county outside the boundaries of any incorporated municipality; ~~provided,~~ however, ~~any project located within fifteen miles of a~~

Underscored material = new  
[bracketed material] = delete

1 ~~municipality shall be subject to prior approval of the governing~~  
2 ~~body of the largest municipality within the same county and~~  
3 ~~within the fifteen-mile zone;]~~

4 B. to sell or lease or otherwise dispose of any or  
5 all of its projects upon such terms and conditions as the  
6 commission may deem advisable and as shall not conflict with the  
7 provisions of the County Industrial Revenue Bond Act; and

8 C. to issue revenue bonds for the purpose of  
9 defraying the cost of acquiring, by construction and purchase,  
10 or either, any project, and to secure the payment of such bonds,  
11 all as ~~hereinafter~~ provided in the County Industrial Revenue  
12 Bond Act. No county shall have the power to operate any project  
13 as a business or in any manner except as lessor thereof. "

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**State of New Mexico  
House of Representatives**

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

February 25, 1997

Mr. Speaker:

Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to  
whom has been referred

HOUSE BILL 751

has had it under consideration and reports same with  
recommendation that it DO PASS, and thence referred to the  
TAXATION AND REVENUE COMMITTEE.

Respectfully submitted,

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Lynda M. Lovejoy, Chairwoman

FORTY- THIRD LEGISLATURE  
FIRST SESSION, 1997

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

Excused: Hobbs, Pederson, Wallace

Absent: None

M \H0751

Underscored material = new  
[bracketed material] = delete

# State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

March 3, 1997

Mr. Speaker:

Your TAXATION AND REVENUE COMMITTEE, to whom has  
been referred

## HOUSE BILL 751

has had it under consideration and reports same with  
recommendation that it DO PASS, amended as follows:

1. On page 1, line 11, strike "A SECTION" and insert in lieu  
thereof "AND ENACTING SECTIONS".

2. On page 1, line 12, after "ACT" insert "AND THE  
INDUSTRIAL REVENUE BOND ACT".

3. On page 1, line 13, strike "APPROVAL" and insert in lieu  
thereof "APPROVAL".

4. On page 1, line 13, after "PROJECTS" insert "AND PROVIDE  
NOTICE BETWEEN COUNTIES AND MUNICIPALITIES FOR CERTAIN PROJECTS;  
PROVIDING FOR DEVELOPMENT OF JOINT CRITERIA FOR ISSUANCE OF

.115102.1

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HTRC/HB 751

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INDUSTRIAL REVENUE BONDS".

5. On page 1, between lines 15 and 16, insert the following new sections:

"Section 1. Section 3-32-2 NMSA 1978 (being Laws 1967, Chapter 84, Section 1) is amended to read:

"3-32-2. SHORT TITLE. -- ~~[Sections 14-31-1 through 14-31-13 New Mexico Statutes Annotated, 1953 Compilation]~~ Chapter 3, Article 32 NMSA 1978 may be cited as the "Industrial Revenue Bond Act". "

Section 2. A new section of the Industrial Revenue Bond Act is enacted to read:

"[NEW MATERIAL] MUNICIPALITY OVER TWO HUNDRED THOUSAND-- NOTICE TO COUNTY. --

A. Prior to adopting an ordinance issuing industrial revenue bonds in a municipality with a population in excess of two hundred thousand, the municipality shall give notice to the county of its intent to consider the matter. The county shall be notified at least thirty days prior to the meeting at which final action is to be taken so that comments can be transmitted by the county to the municipality.

.115102.1

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[bracketed material] = delete

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HTRC/HB 751

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B. The county shall be able to forward its comments and any concerns to the city council, but there is no approval required from the county, and the county does not have veto over the proposed industrial revenue bond issuance.

C. The municipality and county shall jointly develop criteria for issuance of industrial revenue bonds by either government; provided, however, that industrial revenue bonds may be authorized and issued before development of the criteria is completed. "

Section 3. Section 4-59-1 NMSA 1978 (being Laws 1975, Chapter 286, Section 1) is amended to read:

"4-59-1. SHORT TITLE. -- ~~[This act]~~ Chapter 4, Article 59 NMSA 1978 may be cited as the "County Industrial Revenue Bond Act". "

Section 4. A new section of the County Industrial Revenue Bond Act is enacted to read:

"[NEW MATERIAL] CLASS A COUNTY-- NOTICE TO MUNICIPALITY OVER TWO HUNDRED THOUSAND. --

A. Prior to adopting an ordinance issuing county industrial revenue bonds, a class A county shall give notice to a municipality with a population in excess of two hundred thousand located within the county of its intent to consider the matter. The municipality shall be notified at least thirty days prior to

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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the meeting at which final action is to be taken so that comments  
can be transmitted by the municipality to the county.

B. The municipality shall be able to forward its  
comments and any concerns to the board of county commissioners,  
but there is no approval required from the municipality and the  
municipality does not have veto over the proposed county  
industrial revenue bond issuance.

C. The county and the municipality shall jointly  
develop criteria for issuance of industrial revenue bonds by  
either government; provided, however, that county industrial  
revenue bonds may be authorized and issued before development of  
the criteria is completed. "".

6. Renumber the succeeding section accordingly.

Respectfully submitted,

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Jerry W. Sandel, Chairman



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FIRST SESSION, 1997

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 12 For 0 Against

Yes: 12

Excused: Lujan

Absent: None

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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March 17, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been  
referred

HOUSE BILL 751, as amended

has had it under consideration and reports same with  
recommendation that it DO PASS.

Respectfully submitted,

\_\_\_\_\_  
Shannon Robinson, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

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

1 The roll call vote was 5 For 0 Against  
2 Yes: 5  
3 No: 0  
4 Excused: Garcia, Ingle, Vernon, Rodarte  
5 Absent: None  
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