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**HOUSE BILL 502**

**43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998**

**INTRODUCED BY**

**GARY K. KING**

**AN ACT**

**RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE.**

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

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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5  
6 February 12, 1998

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8 Mr. Speaker:

9  
10 Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to  
11 whom has been referred

12  
13 HOUSE BILL 502

14  
15 has had it under consideration and reports same with  
16 recommendation that it DO NOT PASS, but that

17 HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE  
18 SUBSTITUTE FOR HOUSE BILL 502

19  
20 DO PASS.

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

HCPAC/HB 502

Page 3

Respectfully submitted,

\_\_\_\_\_  
Gary K. King, Chairman

Adopted \_\_\_\_\_

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

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Heaton, Pederson, Sandel

Absent: None

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1 HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
2 HOUSE BILL 502  
3 43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998  
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9 AN ACT  
10 RELATING TO PUBLIC PEACE, HEALTH, SAFETY AND WELFARE; AMENDING  
11 THE SMALL COUNTIES ASSISTANCE ACT TO RAISE THE POPULATION  
12 ELIGIBILITY THRESHOLD.

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

14 Section 1. Section 4-61-3 NMSA 1978 (being Laws 1982,  
15 Chapter 44, Section 3, as amended) is amended to read:

16 "4-61-3. SMALL COUNTIES ASSISTANCE FUND-- DISTRIBUTION. --

17 A. The "small counties assistance fund" is created  
18 within the state treasury.

19 B. On [July 1, 1982 and on] July 1 of each year  
20 [thereafter], the local government division of the department  
21 of finance and administration shall certify to the state  
22 treasurer the population of the state and the population of  
23 each county in the state.

24 C. On [September 1, 1982 and on] September 1 of  
25 each year [thereafter], the local government division of the  
department of finance and administration shall certify to the

1 state treasurer the revenue amounts received by each  
2 qualifying county in the fiscal year ended on the preceding  
3 June 30 from property taxes for general county purposes  
4 imposed under the Property Tax Code and taxes imposed under  
5 the Oil and Gas Ad Valorem Production Tax Act, the Oil and Gas  
6 Production Equipment Ad Valorem Tax Act and the Copper  
7 Production Ad Valorem Tax Act for general county purposes.

8 D. On or before [~~September 15, 1982 and on or~~  
9 ~~before~~] September 15 of each year [~~thereafter~~], the state  
10 treasurer shall distribute to each qualifying county from the  
11 small counties assistance fund an amount certified to him by  
12 the director of the local government division of the  
13 department of finance and administration. The distribution to  
14 a qualifying county shall be an amount equal to the amount by  
15 which the product of multiplying a county's population by  
16 twenty-five dollars (\$25.00) exceeds thirty percent of the  
17 total of the revenue amounts certified for that county under  
18 Subsection C of this section, subject to the following:

19 (1) if the calculated distribution for a  
20 class C or first class county exceeds two hundred thousand  
21 dollars (\$200,000), it shall be reduced to two hundred  
22 thousand dollars (\$200,000);

23 (2) if the calculated distribution for a  
24 class B county exceeds one hundred fifty thousand dollars  
25 (\$150,000), it shall be reduced to one hundred fifty thousand  
dollars (\$150,000);

(3) if the calculated distribution for a  
first class county is:

(a) zero or less than zero or that  
county has a population of not more than [~~twelve thousand five~~  
~~hundred~~] fifteen thousand, it shall be two hundred thousand  
dollars (\$200,000); or

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1 (b) greater than zero but less than two  
2 hundred thousand dollars (\$200,000), it shall be increased to two  
3 hundred thousand dollars (\$200,000);

4 (4) if the calculated distribution for a class  
5 C county is greater than zero but less than two hundred thousand  
6 dollars (\$200,000) or that county has a population of not more  
7 than [~~twelve thousand five hundred~~] fifteen thousand, it shall be  
8 increased to two hundred thousand dollars (\$200,000); and

9 (5) if the calculated distribution for a class  
10 B county is greater than zero but less than one hundred thousand  
11 dollars (\$100,000) or that county has a population of not more  
12 than [~~twelve thousand five hundred~~] fifteen thousand, it shall be  
13 increased to one hundred thousand dollars (\$100,000).

14 E. If the balance in the small counties assistance  
15 fund as of the preceding August 31 is less than the sum of the  
16 distributions to be made to qualifying counties, the director of  
17 the local government division of the department of finance and  
18 administration shall reduce each qualifying county's calculated  
19 distribution by a percentage computed by dividing the amount by  
20 which the fund is insufficient by the sum of all the calculated  
21 distributions and [he] shall certify the reduced amounts as the  
22 qualifying counties' distributions.

23 F. Any interest accruing from the temporary  
24 investment of the small counties assistance fund prior to  
25 September 15 shall be credited to the general fund.

G. Immediately after distribution to qualifying  
counties from the small counties assistance fund, but no later  
than September 20 of each year, the unexpended or unencumbered

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1 balance in the fund shall revert to the general fund."

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HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

AN ACT

RELATING TO PUBLIC PEACE, HEALTH, SAFETY AND WELFARE; AMENDING  
THE SMALL COUNTIES ASSISTANCE ACT TO RAISE THE POPULATION  
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4 imposed under the Property Tax Code and taxes imposed under  
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8 D. On or before [~~September 15, 1982 and on or~~  
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12 the director of the local government division of the  
13 department of finance and administration. The distribution to  
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HCPAC/HB 502

**FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998**

**February 17, 1998**

Mr. Speaker:

Your APPROPRIATIONS AND FINANCE COMMITTEE, to whom  
has been referred

CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 502

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

FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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Respectfully submitted,

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Max Coll, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

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

Date \_\_\_\_\_

The roll call vote was 14 For 1 Against

Yes: 14

No: Pearce

Excused: Bird, Picraux, Varela

Absent: 0

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

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February 19, 1998

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Mr. President:

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Your FINANCE COMMITTEE, to whom has been referred

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HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE

13

SUBSTITUTE FOR HOUSE BILL 502

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

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Respectfully submitted,

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\_\_\_\_\_  
Ben D. Altamirano, Chairman

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FORTY-THIRD LEGISLATURE  
SECOND SESSION, 1998

1502

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

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(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

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The roll call vote was 6 For 0 Against

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Yes: 6

11

No: None

12

Excused: Carraro, Eisenstadt, Ingle, Lyons, McKibben

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Absent: None

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