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SENATE BILL 161

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

INTRODUCED BY

Carlos R. Cisneros

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:

.188500.1

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

underscored material = new
[bracketed material] = delete

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:

.188500.1

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

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

.188500.1

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

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
.188500.1

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.