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SENATE BILL 401

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO COUNTIES; AMENDING THE SMALL COUNTIES ASSISTANCE ACT TO PROVIDE DISTRIBUTIONS FOR TECHNOLOGY ASSISTANCE; MAKING AN APPROPRIATION.

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

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

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

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

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

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1 C. On ~~[September 1, 1982 and on]~~ September 1 of
2 each year ~~[thereafter]~~, the local government division of the
3 department of finance and administration shall certify to the
4 state treasurer the revenue amounts received by each
5 qualifying county in the fiscal year ended on the preceding
6 June 30 from property taxes for general county purposes
7 imposed under the Property Tax Code and taxes imposed under
8 the Oil and Gas Ad Valorem Production Tax Act, the Oil and Gas
9 Production Equipment Ad Valorem Tax Act and the Copper
10 Production Ad Valorem Tax Act for general county purposes.

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

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

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1 (2) if the calculated distribution for a
2 class B county exceeds one hundred fifty thousand dollars
3 (\$150,000), it shall be reduced to one hundred fifty thousand
4 dollars (\$150,000);

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

7 (a) zero or less than zero or that
8 county has a population of not more than twelve thousand five
9 hundred, it shall be two hundred thousand dollars (\$200,000);
10 or

11 (b) greater than zero but less than two
12 hundred thousand dollars (\$200,000), it shall be increased to
13 two hundred thousand dollars (\$200,000);

14 (4) if the calculated distribution for a
15 class C county is greater than zero but less than two hundred
16 thousand dollars (\$200,000) or that county has a population of
17 not more than twelve thousand five hundred, it shall be
18 increased to two hundred thousand dollars (\$200,000); and

19 (5) if the calculated distribution for a
20 class B county is greater than zero but less than one hundred
21 thousand dollars (\$100,000) or that county has a population of
22 not more than twelve thousand five hundred, it shall be
23 increased to one hundred thousand dollars (\$100,000).

24 E. If the balance in the small counties assistance
25 fund as of the preceding August 31 is less than the sum of the

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1 distributions to be made to qualifying counties, the director
2 of the local government division of the department of finance
3 and administration shall reduce each qualifying county's
4 calculated distribution by a percentage computed by dividing
5 the amount by which the fund is insufficient by the sum of all
6 the calculated distributions and [he] shall certify the
7 reduced amounts as the qualifying counties' distributions.

8 F. Any interest accruing from the temporary
9 investment of the small counties assistance fund prior to
10 September 15 shall be credited to the general fund.

11 G. Immediately after distribution to qualifying
12 counties from the small counties assistance fund, but no later
13 than September 20 of each year, the unexpended or unencumbered
14 balance in the fund shall [~~revert to the general~~] be
15 transferred to the small counties technology assistance fund."

16 Section 2. A new section of the Small Counties
17 Assistance Act is enacted to read:

18 "[NEW MATERIAL] SMALL COUNTIES TECHNOLOGY ASSISTANCE
19 FUND. --

20 A. The "small counties technology assistance fund"
21 is created within the state treasury. Distributions from the
22 fund shall be used by qualifying counties to acquire the
23 equipment and technology to facilitate the processing of data
24 related to the operation of county government, including:

25 (1) computer hardware, computer software, CD-

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1 ROM and digital video discs, video and audio laser, copper and
2 fiber optic transmission, printers, plotters, scanners,
3 maintenance, training and other techniques and tools used to
4 implement technology; and

5 (2) improvements, alterations and
6 modifications to, or expansion of, existing buildings or
7 personal property necessary or advisable to house or otherwise
8 accommodate any of the property listed in Paragraph (1) of
9 this subsection.

10 B. On or before September 25 of each year, the
11 state treasurer shall distribute to each qualifying county
12 from the small counties technology assistance fund an amount
13 certified to him by the director of the local government
14 division of the department of finance and administration. The
15 distribution to each qualifying county shall be:

16 (1) fifteen thousand dollars (\$15,000) to
17 each class C county and each first class county;

18 (2) twenty-five thousand dollars (\$25,000) to
19 each class B county with a population of more than three
20 thousand but less than twelve thousand five hundred and with
21 an assessed valuation of over seventy-five million dollars
22 (\$75,000,000) but less than three hundred million dollars
23 (\$300,000,000);

24 (3) thirty-five thousand dollars (\$35,000) to
25 each class B county with a population of twelve thousand five

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1 hundred or more but not more than forty-five thousand five
2 hundred and with an assessed valuation of over seventy-five
3 million dollars (\$75,000,000) but less than three hundred
4 million dollars (\$300,000,000); and

5 (4) forty-five thousand dollars (\$45,000) to
6 each class B county with a population of no more than forty-
7 five thousand five hundred and with an assessed valuation of
8 more than three hundred million dollars (\$300,000,000).

9 C. If the balance in the small counties technology
10 assistance fund is less than the sum of the distributions to
11 be made to qualifying counties, the director of the local
12 government division of the department of finance and
13 administration shall reduce each qualifying county's specified
14 distribution by a percentage computed by dividing the amount
15 by which the fund is insufficient by the sum of all the
16 specified distributions, and the director shall certify the
17 reduced amounts as the qualifying counties' distributions.

18 D. Immediately after distribution to qualifying
19 counties from the small counties technology assistance fund,
20 but no later than October 1 of each year, the unexpended or
21 unencumbered balance in the fund shall revert to the general
22 fund. "