

HOUSE TAXATION AND REVENUE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 936

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

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 CAPITAL OUTLAY PROJECTS APPROVED BY THE
LEGISLATURE; DECLARING AN EMERGENCY.

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

Section 1. SEVERANCE TAX BONDS--REVERSION OF UNEXPENDED
PROCEEDS.--

A. Except as otherwise provided in another section
of this act, 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 as follows:

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underscored material = new
[bracketed material] = delete

1 (1) for projects for which severance tax bonds
2 were issued to match federal grants, six months after
3 completion of the projects;

4 (2) for projects for which severance tax bonds
5 were issued to purchase vehicles, including emergency vehicles
6 and other vehicles that require special equipment; heavy
7 equipment; educational technology; or other equipment or
8 furniture that is not related to a more inclusive construction
9 or renovation project, at the end of the fiscal year two years
10 following the fiscal year in which the severance tax bonds were
11 issued for the purchase; and

12 (3) for all other projects for which severance
13 tax bonds were issued, within six months of completion of the
14 project, but no later than the end of fiscal year 2011.

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 LIMITATIONS--REVERSIONS.--

21 A. Except as otherwise provided in another section
22 of this act, the unexpended balance of an appropriation from
23 the general fund or other state fund that has been changed in
24 this act shall revert to the originating fund as follows:

25 (1) for projects for which appropriation were
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underscored material = new
[bracketed material] = delete

1 made to match federal grants, six months after completion of
2 the project;

3 (2) for projects for which appropriations were
4 made to purchase vehicles, including emergency vehicles and
5 other vehicles that require special equipment; heavy equipment;
6 educational technology; or equipment or furniture that is not
7 related to a more inclusive construction or renovation project,
8 at the end of the fiscal year two years following the fiscal
9 year in which the appropriation was made for the purchase; and

10 (3) for all other projects for which
11 appropriations were made, within six months of completion of
12 the project, but no later than the end of fiscal year 2011.

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

17 Section 3. CHANGES TO GENERAL FUND APPROPRIATIONS MADE IN
18 LAWS 2007, CHAPTER 2.--The following general fund
19 appropriations in the following sections and subsections of
20 Laws 2007, Chapter 2 in the following amounts are changed in
21 the following ways:

22 A. twenty-five thousand dollars (\$25,000) to the
23 interstate stream commission in Subsection 18 of Section 25 of
24 Chapter 2 of Laws 2007 for improvements to the acequia de la
25 Concepcion in San Miguel county shall not be expended for the

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1 original purpose but is appropriated to the department of
2 transportation to plan, design and construct road improvements,
3 including drainage, repaving and replacement of existing
4 structures and related improvements, to roads in San Miguel
5 county;

6 B. one hundred thousand dollars (\$100,000) to the
7 local government division in Subsection 40 of Section 26 of
8 Chapter 2 of Laws 2007 for improvements and facilities at
9 Avalon park in Albuquerque in Bernalillo county shall not be
10 expended for the original purpose but is appropriated to the
11 department of environment to plan, design and construct
12 improvements to the sewer interceptor on Coors boulevard
13 between Yucca drive and Central avenue in Albuquerque;

14 C. sixty thousand dollars (\$60,000) to the local
15 government division in Subsection 175 of Section 26 of Chapter
16 2 of Laws 2007 for improvements to the community center in San
17 Geronimo in San Miguel county shall not be expended for the
18 original purpose but is appropriated to the department of
19 transportation to plan, design and construct improvements,
20 including drainage, repaving and replacement of existing
21 structures and related improvements, to roads in San Miguel
22 county;

23 D. fifty thousand dollars (\$50,000) to the local
24 government division in Subsection 181 of Section 26 of Chapter
25 2 of Laws 2007 for a humane education and training center in

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1 Sandoval county shall not be expended for the original purpose
2 but is appropriated to the department of transportation to
3 plan, design and construct improvements, including drainage,
4 repaving and replacement of existing structures and related
5 improvements, to roads in San Miguel county;

6 E. fifty thousand dollars (\$50,000) to the local
7 government division in Subsection 198 of Section 26 of Chapter
8 2 of Laws 2007 for a community facility in La Cienega in Santa
9 Fe county shall not be expended for the original purpose but is
10 appropriated to the department of transportation to plan,
11 design and construct improvements, including drainage, repaving
12 and replacement of existing structures and related
13 improvements, to roads in San Miguel county;

14 F. thirty thousand dollars (\$30,000) to the
15 department of transportation in Subsection 43 of Section 30 of
16 Chapter 2 of Laws 2007 for improvements to Blanchard road,
17 county road B-26, shall not be expended for the original
18 purpose but is changed to plan, design and construct road
19 improvements, including drainage, repaving and replacement of
20 existing structures and related improvements, to various roads
21 in San Miguel county;

22 G. forty thousand dollars (\$40,000) to the
23 department of transportation in Subsection 44 of Section 30 of
24 Chapter 2 of Laws 2007 for improvements to El Cerrito road
25 shall not be expended for the original purpose but is changed

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1 to plan, design and construct road improvements, including
2 drainage, repaving and replacement of existing structures and
3 related improvements, to various roads in San Miguel county;

4 H. fifty-two thousand dollars (\$52,000) to the
5 department of transportation in Subsection 45 of Section 30 of
6 Chapter 2 of Laws 2007 for improvements to roads in San
7 Geronimo shall not be expended for the original purpose but is
8 changed to plan, design and construct road improvements,
9 including drainage, repaving and replacement of existing
10 structures and related improvements, to various roads in San
11 Miguel county;

12 I. forty-eight thousand dollars (\$48,000) to the
13 department of transportation in Subsection 48 of Section 30 of
14 Chapter 2 of Laws 2007 for improvements to El Valle de los
15 Padres road in Pecos shall not be expended for the original
16 purpose but is changed to plan, design and construct road
17 improvements, including drainage, repaving and replacement of
18 existing structures and related improvements, to various roads
19 in San Miguel county; and

20 J. twenty-five thousand dollars (\$25,000) to the
21 board of regents of New Mexico highlands university in
22 Subsection 2 of Section 33 of Chapter 2 of Laws 2007 for
23 security equipment at New Mexico highlands university in Las
24 Vegas in San Miguel county shall not be expended for the
25 original purpose but is appropriated to the local government

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1 division to plan, design and renovate the Amador hotel for city
2 use in Las Cruces in Dona Ana county.

3 Section 4. CHANGES TO SEVERANCE TAX BOND APPROPRIATIONS
4 MADE IN LAWS 2007, CHAPTER 42.--The following severance tax
5 bond appropriations in the following sections and subsections
6 of Laws 2007, Chapter 42 in the following amounts are changed
7 in the following ways:

8 A. two million dollars (\$2,000,000) to the capital
9 program fund in Subsection 16 of Section 6 of Chapter 42 of
10 Laws 2007 for capital improvements and renovations at public
11 health clinics statewide is appropriated to the department of
12 health for that purpose;

13 B. two hundred twenty-five thousand dollars
14 (\$225,000) of the appropriation to the department of
15 transportation in Subsection 12 of Section 26 of Chapter 42 of
16 Laws 2007 for improvements to the north Belen interchange in
17 Valencia county shall not be expended for the original purpose
18 but is appropriated to the local government division of the
19 department of finance and administration to construct, equip
20 and furnish the thirteenth judicial district courthouse in Los
21 Lunas in Valencia county;

22 C. seventy-five thousand dollars (\$75,000) of the
23 appropriation to the department of transportation in Subsection
24 12 of Section 26 of Chapter 42 of Laws 2007 for improvements to
25 the north Belen interchange in Valencia county shall not be

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1 expended for the original purpose but is appropriated to the
2 local government division to plan, design and construct a
3 business incubator in the southeast heights area of Bernalillo
4 county;

5 D. two hundred thousand dollars (\$200,000) of the
6 appropriation to the department of transportation in Subsection
7 12 of Section 26 of Chapter 42 of Laws 2007 for improvements to
8 the north Belen interchange in Valencia county shall not be
9 expended for the original purpose but is appropriated to the
10 local government division to plan, design, construct and equip
11 a fire and police station in Sunland Park in Dona Ana county;

12 E. one million dollars (\$1,000,000) of the
13 appropriation to the department of transportation in Subsection
14 12 of Section 26 of Chapter 42 of Laws 2007 for improvements to
15 the north Belen interchange in Valencia county shall not be
16 expended for the original purpose but is appropriated to the
17 department of environment to plan, design, construct and equip
18 the Greentree solid waste transfer station and administration
19 buildings in Lincoln county;

20 F. two hundred thousand dollars (\$200,000) of the
21 appropriation to the department of transportation in Subsection
22 12 of Section 26 of Chapter 42 of Laws 2007 for improvements to
23 the north Belen interchange in Valencia county shall not be
24 expended for the original purpose but is appropriated to the
25 local government division to plan, design, construct, equip and

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1 furnish the expansion of the San Miguel medical center in San
2 Miguel county;

3 G. three hundred thousand dollars (\$300,000) of the
4 appropriation to the department of transportation in Subsection
5 12 of Section 26 of Chapter 42 of Laws 2007 for improvements to
6 the north Belen interchange in Valencia county shall not be
7 expended for the original purpose but is appropriated to the
8 local government division to plan, design and construct
9 improvements to Casa San Ysidro, including a visitor center and
10 a bridge, in Corrales in Sandoval county; and

11 H. one million dollars (\$1,000,000) of the
12 appropriation to the department of transportation in Subsection
13 12 of Section 26 of Chapter 42 of Laws 2007 for improvements to
14 the north Belen interchange in Valencia county shall not be
15 expended for the original purpose but is appropriated to the
16 economic development department to acquire ultra-short pulse
17 laser systems to develop new technologies in a range of high-
18 technology applications statewide.

19 Section 5. CHANGES TO GENERAL FUND APPROPRIATIONS MADE IN
20 LAWS 2007, CHAPTER 42.--The following general fund
21 appropriations in the following sections and subsections of
22 Laws 2007, Chapter 42 in the following amounts are changed in
23 the following ways:

24 A. nine hundred twenty-five thousand dollars
25 (\$925,000) to the thirteenth judicial district court in

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1 Subsection 3 of Section 52 of Chapter 42 of Laws 2007 to equip
2 and furnish the courthouse for the thirteenth judicial district
3 in Los Lunas in Valencia county is appropriated to the local
4 government division for that purpose and may include completing
5 construction of that facility;

6 B. twenty-five thousand dollars (\$25,000) of the
7 appropriation to the thirteenth judicial district court in
8 Subsection 3 of Section 52 of Chapter 42 of Laws 2007 for the
9 thirteenth judicial district courthouse in Los Lunas in
10 Valencia county shall not be expended for the original purpose
11 but is appropriated to the department of finance and
12 administration for the New Mexico activities association all-
13 star project;

14 C. fifty thousand dollars (\$50,000) of the
15 appropriation to the thirteenth judicial district court in
16 Subsection 3 of Section 52 of Chapter 42 of Laws 2007 for the
17 thirteenth judicial district courthouse in Los Lunas in
18 Valencia county shall not be expended for the original purpose
19 but is appropriated to the department of health to support
20 alternative medicine projects in Albuquerque in Bernalillo
21 county;

22 D. fifty thousand dollars (\$50,000) of the
23 appropriation to the thirteenth judicial district court in
24 Subsection 3 of Section 52 of Chapter 42 of Laws 2007 for the
25 thirteenth judicial district courthouse in Los Lunas in

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1 Valencia county shall not be expended for the original purpose
2 but is appropriated to the board of regents of the university
3 of New Mexico for the college preparatory mentoring for eighth
4 graders project in the Albuquerque public school district in
5 Bernalillo county;

6 E. twenty-five thousand dollars (\$25,000) of the
7 appropriation to the thirteenth judicial district court in
8 Subsection 3 of Section 52 of Chapter 42 of Laws 2007 for the
9 thirteenth judicial district courthouse in Los Lunas in
10 Valencia county shall not be expended for the original purpose
11 but is appropriated to the board of regents of the university
12 of New Mexico for the inter-American cooperation and
13 development project;

14 F. twenty-five thousand dollars (\$25,000) of the
15 appropriation to the thirteenth judicial district court in
16 Subsection 3 of Section 52 of Chapter 42 of Laws 2007 for the
17 thirteenth judicial district courthouse in Los Lunas in
18 Valencia county shall not be expended for the original purpose
19 but is appropriated to the board of regents of the university
20 of New Mexico for Native American foundation projects;

21 G. fifty thousand dollars (\$50,000) of the
22 appropriation to the thirteenth judicial district court in
23 Subsection 3 of Section 52 of Chapter 42 of Laws 2007 for the
24 thirteenth judicial district courthouse in Los Lunas in
25 Valencia county shall not be expended for the original purpose

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1 but is appropriated to the board of regents of the university
2 of New Mexico for the regional studies project;

3 H. fifty thousand dollars (\$50,000) to the energy,
4 minerals and natural resources department in Subsection 1 of
5 Section 56 of Chapter 42 of Laws 2007 to plan, design and
6 construct a multipurpose trail along Fort Selden road in Dona
7 Ana county is appropriated to the department of transportation
8 for that purpose;

9 I. three hundred thousand dollars (\$300,000) of the
10 appropriation to the local government division in Subsection
11 420 of Section 68 of Chapter 42 of Laws 2007 for the Animas
12 community center shall not be expended for the original purpose
13 but is changed to plan, design, construct, equip and furnish a
14 detention center in Hidalgo county;

15 J. two hundred thousand dollars (\$200,000) of the
16 appropriation to the local government division in Subsection
17 421 of Section 68 of Chapter 42 of Laws 2007 for an emergency
18 management building in Hidalgo county shall not be expended for
19 the original purpose but is changed to plan, design, construct,
20 equip and furnish a detention center in Hidalgo county;

21 K. one hundred thousand dollars (\$100,000) of the
22 appropriation to the local government division in Subsection
23 421 of Section 68 of Chapter 42 of Laws 2007 for an emergency
24 management building in Hidalgo county shall not be expended for
25 the original purpose but is appropriated to the public

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1 education department for vocational, athletic and playground
 2 equipment in the Las Vegas city public school district in San
 3 Miguel county;

4 L. one million dollars (\$1,000,000) to the local
 5 government division in Subsection 441 of Section 68 of Chapter
 6 42 of Laws 2007 for an equestrian facility in Lincoln county
 7 shall not be expended for the original purpose but is changed
 8 to plan, design, construct and equip a civic center in Silver
 9 City in Grant county;

10 M. five hundred thousand dollars (\$500,000) to the
 11 local government division in Subsection 580 of Section 68 of
 12 Chapter 42 of Laws 2007 to purchase, plan, design, construct
 13 and equip exhibits for the international science and
 14 engineering fair in Sandoval county is changed for that purpose
 15 in Bernalillo county; and

16 N. two hundred fifty thousand dollars (\$250,000) to
 17 the department of transportation in Subsection 83 of Section 75
 18 of Chapter 42 of Laws 2007 for an airport in Hagerman shall not
 19 be expended for the original purpose but is appropriated to the
 20 local government division to plan, design and construct,
 21 including infrastructure, an industrial park in Hagerman in
 22 Chaves county.

23 Section 6. EMERGENCY.--It is necessary for the public
 24 peace, health and safety that this act take effect immediately.