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HOUSE BILL 20

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2008**

INTRODUCED BY

Ray Begaye

AN ACT

RELATING TO EXPENDITURE OF PUBLIC MONEY; REAUTHORIZING OR REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES, 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:

(a) at the end of the expenditure period

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1 as set forth in this act, if the expenditure period is changed  
2 in this act; or

3 (b) if the expenditure period is not  
4 changed in this act, pursuant to the time frame set forth in  
5 the law that originally authorized the severance tax bonds or  
6 the time frame set forth in any law that has previously  
7 reauthorized the expenditure of the proceeds, whichever is  
8 later; and

9 (2) all remaining balances from the proceeds  
10 of severance tax bonds issued for a project that has been  
11 reauthorized in this act shall revert to the severance tax  
12 bonding fund three months after the reversion date for the  
13 unexpended balances whether or not any of the remaining  
14 balances are subject to a contractual obligation to third  
15 parties.

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

20 Section 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--  
21 REVERSIONS.--

22 A. Except as otherwise provided in another section  
23 of this act:

24 (1) the unexpended balance of an appropriation  
25 from the general fund or other state fund that has been changed

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1 in this act shall revert:

2 (a) at the end of the expenditure period  
3 as set forth in this act, if the expenditure period is changed  
4 in this act; or

5 (b) if the expenditure period is not  
6 changed in this act, pursuant to the time frame set forth in  
7 the law in which the original appropriation was made or the  
8 time frame set forth in any law that has previously changed the  
9 appropriation, whichever is later; and

10 (2) all remaining balances of an appropriation  
11 from the general fund or other state fund that has been changed  
12 in this act shall revert three months after the reversion date  
13 for the unexpended balance whether or not any of the remaining  
14 balances are subject to a contractual obligation to third  
15 parties.

16 B. Except as provided in Subsection D of this  
17 section, the balance of an appropriation made from the general  
18 fund shall revert pursuant to Subsection A of this section to  
19 the capital projects fund.

20 C. Except as provided in Subsection D of this  
21 section, the balance of an appropriation made from other state  
22 funds shall revert pursuant to Subsection A of this section to  
23 the originating fund.

24 D. The balance of an appropriation made from the  
25 general fund or other state fund to the Indian affairs

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1 department or the aging and long-term services department for a  
2 project located on lands of an Indian nation, tribe or pueblo  
3 shall revert pursuant to Subsection A of this section to the  
4 tribal infrastructure project fund.

5 E. For the purpose of this section, "unexpended  
6 balance" means the remainder of an appropriation after  
7 reserving for unpaid costs and expenses covered by binding  
8 written obligations to third parties.

9 Section 3. SHIPROCK DOMESTIC VIOLENCE SHELTER  
10 TRANSITIONAL HOUSING FACILITY--CHANGE TO CONTINUED CONSTRUCTION  
11 OF SHELTER--GENERAL FUND.--The unexpended balance of the  
12 appropriation to the Indian affairs department in Subsection  
13 105 of Section 66 of Chapter 42 of Laws 2007 for a twenty-unit  
14 transitional housing facility for a domestic violence shelter  
15 in Shiprock shall not be expended for the original purpose but  
16 is changed to plan, design, construct, equip and furnish the  
17 domestic violence shelter in Shiprock in San Juan county.

18 Section 4. AZTEC HIGH SCHOOL DORMITORY--CHANGE TO AZTEC  
19 DORMITORY FOR THE NAVAJO NATION--CHANGE AGENCY--SEVERANCE TAX  
20 BONDS.--The unexpended balance of the appropriation to the  
21 public education department in Subsection 15 of Section 11 of  
22 Chapter 92 of Laws 2008 for a dormitory at Aztec high school in  
23 the Aztec municipal school district shall not be expended for  
24 the original purpose but is appropriated to the Indian affairs  
25 department to plan, design, construct, equip and furnish a

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underscored material = new  
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1 dormitory for Navajo students in Aztec in San Juan county.

2 Section 5. EMERGENCY.--It is necessary for the public  
3 peace, health and safety that this act take effect immediately.

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