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SENATE BILL 291

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Carlos R. Cisneros

AN ACT

RELATING TO CAPITAL EXPENDITURES; 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:

.199051.1

underscoring material = new
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underscored material = new
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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:

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underscoring material = new
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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 C of this
14 section, the balance of an appropriation made from the general
15 fund or other state fund shall revert pursuant to Subsection A
16 of this section to the originating fund.

17 C. The balance of an appropriation made from the
18 general fund or other state fund to the Indian affairs
19 department or the aging and long-term services department for a
20 project located on lands of an Indian nation, tribe or pueblo
21 shall revert pursuant to Subsection A of this section to the
22 tribal infrastructure project fund.

23 D. For the purpose of this section, "unexpended
24 balance" means the remainder of an appropriation after
25 reserving for unpaid costs and expenses covered by binding

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1 written obligations to third parties.

2 **SECTION 3. PASEO DEL VOLCAN LOOP BYPASS ROAD--CHANGE**
3 **SECTION OF ROAD--SEVERANCE TAX BONDS.--**The unexpended balance
4 of the appropriation to the department of transportation in
5 Subsection 54 of Section 36 of Chapter 226 of Laws 2013 to
6 acquire rights of way for and to plan, design and construct
7 Paseo del Volcan loop bypass road from Unser boulevard to New
8 Mexico highway 550 shall not be expended for the original
9 purpose but is changed to acquire rights of way for and to
10 plan, design and construct Paseo del Volcan loop bypass road
11 from Unser boulevard to interstate 40 in Bernalillo and
12 Sandoval counties.

13 **SECTION 4. NORTH CENTRAL ECONOMIC DEVELOPMENT DISTRICT**
14 **BROADBAND INFRASTRUCTURE IMPROVEMENTS--CHANGE AGENCY--SEVERANCE**
15 **TAX BONDS.--**The unexpended balance of the appropriation to the
16 department of information technology in Subsection 1 of Section
17 20 of Chapter 66 of Laws 2014 to plan, design and construct a
18 high-speed broadband infrastructure network into Bernalillo and
19 Sandoval counties and rural northern New Mexico to integrate
20 with the existing regional economic development initiative net
21 open access network in north central New Mexico is appropriated
22 to the local government division of the department of finance
23 and administration.

24 **SECTION 5. NAVAJO NATION SAN JUAN RIVER DINEH WATER USERS**
25 **IRRIGATION SYSTEMS--CHANGE TO BACKHOE--SEVERANCE TAX BONDS.--**

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1 The unexpended balance of the appropriation to the Indian
2 affairs department in Subsection 30 of Section 19 of Chapter 66
3 of Laws 2014 to plan, design and construct improvements to
4 irrigation systems for the San Juan River Dineh water users,
5 incorporated, on the Navajo Nation in San Juan county shall not
6 be expended for the original purpose but is changed to purchase
7 and equip a backhoe for the San Juan River Dineh water users,
8 incorporated.

9 SECTION 6. EMERGENCY.--It is necessary for the public
10 peace, health and safety that this act take effect immediately.