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HOUSE BILL 27

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,
2000**

INTRODUCED BY
Edward Sandoval

AN ACT

RELATING TO CAPITAL EXPENDITURES; AUTHORIZING THE ISSUANCE OF
SEVERANCE TAX BONDS; REAUTHORIZING UNEXPENDED OR UNENCUMBERED
BALANCES; CHANGING THE PURPOSE OF CERTAIN BOND
AUTHORIZATIONS; EXTENDING THE EXPENDITURE PERIODS; MAKING
APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Section 1. SEVERANCE TAX BONDS--AUTHORIZATIONS--
APPROPRIATION OF PROCEEDS.--

A. The state board of finance may issue and sell
severance tax bonds in compliance with the Severance Tax
Bonding Act in an amount not to exceed the total of the
amounts authorized for purposes specified in this act. The
state board of finance shall schedule the issuance and sale
of the bonds in the most expeditious and economical manner
possible upon a finding by the board that the project has

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1 been developed sufficiently to justify the issuance and that
2 the project can proceed to contract within a reasonable time.
3 The state board of finance shall further take the appropriate
4 steps necessary to comply with the Internal Revenue Code of
5 1986, as amended. Proceeds from the sale of the bonds are
6 appropriated for the purposes specified in this act.

7 B. The agencies named in this act shall certify to
8 the state board of finance when the money from the proceeds
9 of the severance tax bonds authorized in this section is
10 needed for the purposes specified in the applicable section
11 of this act.

12 C. If the specified agency has not certified the
13 need for the issuance of the bonds by the end of fiscal year
14 2002, the authorization provided in this act shall be void.

15 D. Unless otherwise specified in this act, any
16 unexpended or unencumbered balance remaining from the
17 proceeds of severance tax bonds issued pursuant to this act
18 at the end of fiscal year 2004 shall revert to the severance
19 tax bonding fund.

20 Section 2. SEVERANCE TAX BONDS--GENERAL SERVICES
21 DEPARTMENT--PURPOSES.--Pursuant to the provisions of Section
22 1 of this act, upon certification by the property control
23 division of the general services department that the need
24 exists for the issuance of the bonds, ten million dollars
25 (\$10,000,000) is appropriated to the capital program fund to
continue converting the state's microwave radio system from
analog to digital technology.

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1 Section 3. SEVERANCE TAX BONDS--COMMISSION ON HIGHER
2 EDUCATION--PURPOSES.--Pursuant to the provisions of Section 1
3 of this act, upon certification by the commission on higher
4 education that the need exists for the issuance of the bonds,
5 the following amounts are appropriated to the commission on
6 higher education for the following purposes:

7 A. three million dollars (\$3,000,000) for
8 infrastructure renovation, deferred maintenance, site utility
9 piping, improvements and roof repairs at higher educational
10 institutions throughout the state;

11 B. two million dollars (\$2,000,000) to make
12 improvements at higher educational institutions and
13 constitutional special schools throughout the state to meet
14 the requirements of the Americans with Disabilities Act of
15 1990; and

16 C. five million dollars (\$5,000,000) for
17 information technology at higher educational institutions and
18 constitutional special schools throughout the state.

19 Section 4. SEVERANCE TAX BONDS--DEPARTMENT OF
20 ENVIRONMENT--PURPOSE.--Pursuant to the provisions of Section
21 1 of this act, upon certification by the department of
22 environment that the need exists for the issuance of the
23 bonds, one million dollars (\$1,000,000) is appropriated to
24 the wastewater facility construction loan fund to carry out
25 the provisions of the Wastewater Facility Construction Loan
Act.

 Section 5. SEVERANCE TAX BOND--STATE AGENCY ON AGING--

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1 PURPOSES.--Pursuant to the provisions of Section 1 of this
2 act, upon certification by the state agency on aging that the
3 need exists for the issuance of the bonds, two million
4 dollars (\$2,000,000) is appropriated to the state agency on
5 aging to make improvements to senior centers statewide.

6 Section 6. GENERAL FUND--EDUCATIONAL TECHNOLOGY FUND--
7 PURPOSE.--Six hundred thousand dollars (\$600,000) is
8 appropriated from the general fund to the educational
9 technology fund for expenditure in fiscal year 2000 and
10 subsequent fiscal years for the purpose of implementing the
11 provisions of the Technology for Education Act. Any
12 unexpended or unencumbered balance remaining at the end of
13 any fiscal year shall not revert.

14 Section 7. REAUTHORIZATION--COURTHOUSE RENOVATION--
15 SEVERANCE TAX BONDS--CHANGE IN PURPOSE--EXTENSION OF
16 EXPENDITURE PERIOD.--The severance tax bond proceeds
17 appropriated to the local government division of the
18 department of finance and administration pursuant to
19 Subsection EEEE of Section 5 of Chapter 4 of Laws 1996 (1st
20 S.S.) to plan, design or construct an addition to the
21 courthouse in Mora county shall not be expended for the
22 original purpose, but are appropriated to renovate the
23 courthouse in Mora county. The period of time in which this
24 appropriation may be expended shall be extended through
25 fiscal year 2004. Any unexpended or unencumbered balance
remaining at the end of fiscal year 2004 shall revert to the
severance bonding tax fund.

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Section 8. PROJECT SCOPE--EXPENDITURES.--If an appropriation for a project authorized in this act is not sufficient to complete all the purposes specified, the appropriation may be expended for any portion of the purposes specified in the appropriation. Expenditures shall not be made for purposes other than those specified in the appropriation.

Section 9. ART IN PUBLIC PLACES.--Pursuant to Section 13-4A-4 NMSA 1978 and where applicable, the appropriations authorized in this act include one percent for the art in public places fund.

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