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HOUSE BILL 558

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Edward C. Sandoval

AN ACT

**RELATING TO CAPITAL EXPENDITURES; ESTABLISHING CONDITIONS FOR
THE REVERSION OF UNEXPENDED BALANCES; MAKING APPROPRIATIONS;
DECLARING AN EMERGENCY.**

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

**Section 1. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
LIMITATIONS-- REVERSIONS. --**

**A. Except as otherwise provided in this section or
another section of this act, the unexpended balance of an
appropriation made in this act from the general fund or other
state fund, including changes to prior appropriations, shall
revert to the originating fund as follows:**

**(1) for projects for which appropriations were
made to match federal grants, six months after completion of
the project;**

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[bracketed material] = delete

underscored material = new
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1 (2) for projects for which appropriations were
2 made to purchase vehicles, heavy equipment, educational
3 technology or equipment or furniture that is not related to a
4 more inclusive construction or renovation project, at the end
5 of the fiscal year following the fiscal year in which the
6 appropriation was made for the purchase;

7 (3) for projects for which appropriations were
8 made to purchase emergency vehicles or other vehicles that
9 require special equipment, at the end of the fiscal year two
10 years following the fiscal year in which the severance tax
11 bonds were issued for the purchase; and

12 (4) for all other projects for which
13 appropriations were made, within six months of completion of
14 the project, but no later than the end of fiscal year 2009.

15 B. Except for appropriations to the capital program
16 fund, money from appropriations made in this act shall not be
17 used to pay indirect project costs.

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

22 Section 2. WATER PROJECTS--WATER PROJECT FINANCE ACT
23 PROVISIONS--GENERAL FUND.--Twenty million dollars (\$20,000,000)
24 is appropriated from the general fund to the water project fund
25 for expenditure in fiscal year 2005 and subsequent fiscal years

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underscored material = new
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1 to support water projects pursuant to the provisions of the
2 Water Project Finance Act. Any unexpended balance remaining at
3 the end of a fiscal year shall not revert to the general fund.

4 Section 3. MINERS' COLFAX MEDICAL CENTER--MINERS' TRUST
5 FUND.--Four million dollars (\$4,000,000) is appropriated from
6 the miners' trust fund to the board of trustees of miners'
7 Colfax medical center for expenditure in fiscal years 2004
8 through 2009 for improvements at miners' Colfax medical center
9 in Raton in Colfax county. Any unexpended balance remaining at
10 the end of fiscal year 2009 shall revert to the miners' trust
11 fund.

12 Section 4. STATE BUILDING PROJECTS--PUBLIC BUILDINGS
13 REPAIR FUND--SEVERANCE TAX BOND APPROPRIATION TO FUND--
14 APPROPRIATION FROM FUND TO CAPITAL PROGRAM FUND.--

15 A. Pursuant to the provisions of Section 1 of this
16 act, upon certification by the property control division of the
17 general services department that the need exists for the
18 issuance of the bonds, eight million dollars (\$8,000,000) is
19 appropriated to the public buildings repair fund for statewide
20 repairs of state-owned facilities.

21 B. Eight million dollars (\$8,000,000) is
22 appropriated from the public buildings repair fund to the
23 capital program fund for expenditure in fiscal years 2004
24 through 2009 for statewide repairs of state-owned facilities.
25 Any unexpended balance remaining at the end of fiscal year 2009

1 shall revert to the public buildings repair fund.

2 Section 5. PROJECT SCOPE--EXPENDITURES.--If an
3 appropriation for a project authorized in this act is not
4 sufficient to complete all the purposes specified, the
5 appropriation may be expended for any portion of the purposes
6 specified in the appropriation. Expenditures shall not be made
7 for purposes other than those specified in the appropriation.

8 Section 6. ART IN PUBLIC PLACES.--Pursuant to Section
9 13-4A-4 NMSA 1978 and where applicable, the appropriations
10 authorized in this act include one percent for the art in
11 public places fund.

12 Section 7. EMERGENCY.--It is necessary for the public
13 peace, health and safety that this act take effect immediately.