

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:

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

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

following the fiscal year in which the severance tax bonds were issued for the purchase; and

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

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

Section 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--  
LIMITATIONS--REVERSIONS.--

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

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

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

following the fiscal year in which the appropriation was made for the purchase; and

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

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

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

A. twenty-five thousand dollars (\$25,000) to the interstate stream commission in Subsection 18 of Section 25 of Chapter 2 of Laws 2007 for improvements to the acequia de la Concepcion in San Miguel county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct road improvements, including drainage, repaving and replacement of existing structures and related improvements, to roads in San Miguel county;

B. one hundred thousand dollars (\$100,000) to the local government division in Subsection 40 of Section 26 of

Chapter 2 of Laws 2007 for improvements and facilities at Avalon park in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the department of environment to plan, design and construct improvements to the sewer interceptor on Coors boulevard between Yucca drive and Central avenue in Albuquerque;

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

D. fifty thousand dollars (\$50,000) to the local government division in Subsection 181 of Section 26 of Chapter 2 of Laws 2007 for a humane education and training center in Sandoval county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct improvements, including drainage, repaving and replacement of existing structures and related improvements, to roads in San Miguel county;

E. fifty thousand dollars (\$50,000) to the local government division in Subsection 198 of Section 26 of Chapter

2 of Laws 2007 for a community facility in La Cienega in Santa Fe county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct improvements, including drainage, repaving and replacement of existing structures and related improvements, to roads in San Miguel county;

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

G. forty thousand dollars (\$40,000) to the department of transportation in Subsection 44 of Section 30 of Chapter 2 of Laws 2007 for improvements to El Cerrito road shall not be expended for the original purpose but is changed to plan, design and construct road improvements, including drainage, repaving and replacement of existing structures and related improvements, to various roads in San Miguel county;

H. fifty-two thousand dollars (\$52,000) to the department of transportation in Subsection 45 of Section 30 of Chapter 2 of Laws 2007 for improvements to roads in San Geronimo shall not be expended for the original purpose but is

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

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

J. twenty-five thousand dollars (\$25,000) to the board of regents of New Mexico highlands university in Subsection 2 of Section 33 of Chapter 2 of Laws 2007 for security equipment at New Mexico highlands university in Las Vegas in San Miguel county shall not be expended for the original purpose but is appropriated to the local government division to plan, design and renovate the Amador hotel for city use in Las Cruces in Dona Ana county.

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

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

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

C. seventy-five thousand dollars (\$75,000) of the appropriation to the department of transportation in Subsection 12 of Section 26 of Chapter 42 of Laws 2007 for improvements to the north Belen interchange in Valencia county shall not be expended for the original purpose but is appropriated to the local government division to plan, design and construct a business incubator in the southeast heights area of Bernalillo county;

D. two hundred thousand dollars (\$200,000) of the appropriation to the department of transportation in Subsection 12 of Section 26 of Chapter 42 of Laws 2007 for

improvements to the north Belen interchange in Valencia county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct and equip a fire and police station in Sunland Park in Dona Ana county;

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

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

G. three hundred thousand dollars (\$300,000) of the appropriation to the department of transportation in Subsection 12 of Section 26 of Chapter 42 of Laws 2007 for improvements to the north Belen interchange in Valencia county



shall not be expended for the original purpose but is appropriated to the local government division to plan, design and construct improvements to Casa San Ysidro, including a visitor center and a bridge, in Corrales in Sandoval county; and

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

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

A. nine hundred twenty-five thousand dollars (\$925,000) to the thirteenth judicial district court in Subsection 3 of Section 52 of Chapter 42 of Laws 2007 to equip and furnish the courthouse for the thirteenth judicial district in Los Lunas in Valencia county is appropriated to the local government division for that purpose and may include completing construction of that facility;

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

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

D. fifty thousand dollars (\$50,000) of the appropriation to the thirteenth judicial district court in Subsection 3 of Section 52 of Chapter 42 of Laws 2007 for the thirteenth judicial district courthouse in Los Lunas in Valencia county shall not be expended for the original purpose but is appropriated to the board of regents of the university of New Mexico for the college preparatory mentoring for eighth graders project in the Albuquerque public school district in Bernalillo county;

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

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

G. fifty thousand dollars (\$50,000) of the appropriation to the thirteenth judicial district court in Subsection 3 of Section 52 of Chapter 42 of Laws 2007 for the thirteenth judicial district courthouse in Los Lunas in Valencia county shall not be expended for the original purpose but is appropriated to the board of regents of the university of New Mexico for the regional studies project;

H. fifty thousand dollars (\$50,000) to the energy, minerals and natural resources department in Subsection 1 of Section 56 of Chapter 42 of Laws 2007 to plan, design and

construct a multipurpose trail along Fort Selden road in Dona Ana county is appropriated to the department of transportation for that purpose;

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

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

K. one hundred thousand dollars (\$100,000) of the appropriation to the local government division in Subsection 421 of Section 68 of Chapter 42 of Laws 2007 for an emergency management building in Hidalgo county shall not be expended for the original purpose but is appropriated to the public education department for vocational, athletic and playground equipment in the Las Vegas city public school district in San Miguel county;

L. one million dollars (\$1,000,000) to the local

government division in Subsection 441 of Section 68 of Chapter 42 of Laws 2007 for an equestrian facility in Lincoln county shall not be expended for the original purpose but is changed to plan, design, construct and equip a civic center in Silver City in Grant county;

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

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

O. five hundred twenty-five thousand dollars (\$525,000) of the appropriation to the local government division in Subsection 202 of Section 68 of Chapter 42 of Laws 2007 to purchase land for open space in Los Ranchos de Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to purchase land for open space near Anderson fields in Los Ranchos de Albuquerque in

Bernalillo county.

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

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