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HOUSE BILL 353

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Jim R. Trujillo

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:

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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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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. EAGLE NEST ENCHANTED EAGLE PARK ASBESTOS**  
3 **REMOVAL AND BUILDING DEMOLITION--EXPAND PURPOSE--SEVERANCE TAX**  
4 **BONDS.--**The local government division project in Subsection 42  
5 of Section 16 of Chapter 64 of Laws 2012 to remove asbestos,  
6 including demolition and debris removal, from abandoned  
7 buildings in Enchanted Eagle park in Eagle Nest in Colfax  
8 county may include site improvements, including materials  
9 disposal and soil restoration.

10           **SECTION 4. BOSQUE REDONDO MEMORIAL EXHIBITS--EXPAND**  
11 **PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--**The cultural  
12 affairs department project in Subsection 2 of Section 9 of  
13 Chapter 125 of Laws 2009 to purchase and install exhibits at  
14 the Bosque Redondo memorial at Fort Sumner state monument in De  
15 Baca county may include design, construction and installation  
16 of an exhibition at that memorial. The time of expenditure is  
17 extended through fiscal year 2015.

18           **SECTION 5. LAS CRUCES ARMIJO HOUSE RENOVATIONS--CHANGE TO**  
19 **VIETNAM VETERANS' MEMORIAL--EXTEND TIME--SEVERANCE TAX**  
20 **BONDS.--**The unexpended balance of the appropriation to the  
21 cultural affairs department originally authorized in Subsection  
22 5 of Section 7 of Chapter 92 of Laws 2008 of which fifty-five  
23 thousand dollars (\$55,000) was reauthorized and appropriated to  
24 the local government division in Laws 2012, Chapter 63, Section  
25 36 to renovate the Armijo house in Las Cruces in Dona Ana

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1 county shall not be expended for the original or reauthorized  
2 purpose but is changed to make site improvements and construct  
3 a Vietnam War memorial in Veterans' park in Las Cruces in Dona  
4 Ana county. The time of expenditure is extended through fiscal  
5 year 2015.

6 SECTION 6. SECOND STREET ROAD AND DRAINAGE IMPROVEMENTS  
7 IN ROY--EXPAND PURPOSE TO VARIOUS STREETS IN ROY--SEVERANCE TAX  
8 BONDS.--The department of transportation project in Subsection  
9 29 of Section 18 of Chapter 64 of Laws 2012 to plan, design and  
10 construct road and drainage improvements to Second street in  
11 Roy in Harding county may include improvements to various  
12 streets in Roy.

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