

HOUSE BILL 568

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Jim R. Trujillo

AN ACT

RELATING TO CAPITAL EXPENDITURES; REAUTHORIZING OR
REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES,
EXTENDING EXPENDITURE PERIODS AND ESTABLISHING CONDITIONS FOR
THE REVERSION OR TRANSFER 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. CLOVIS LYCEUM THEATER MULTI-USE FACILITY**
3 DEVELOPMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of
4 expenditure for the local government division project in
5 Subsection 100 of Section 28 of Chapter 3 of Laws 2015 (1st
6 S.S.) to renovate and restore the historic Lyceum theater and
7 to acquire buildings and plan, design, renovate and equip
8 property adjacent to the theater for a performing arts and
9 multi-use facility in Clovis in Curry county is extended
10 through fiscal year 2021.

11 **SECTION 4. CLOVIS SENIOR CENTER CONSTRUCTION--EXTEND**
12 TIME--SEVERANCE TAX BONDS.--The time of expenditure for the
13 aging and long-term services department project in Subsection
14 21 of Section 3 of Chapter 3 of Laws 2015 (1st S.S.) to acquire
15 land for and to plan, design, construct, furnish and equip a
16 senior center in Clovis in Curry county is extended through
17 fiscal year 2021.

18 **SECTION 5. LAS CRUCES COMMUNITY OF HOPE HOMELESS FACILITY**
19 KITCHEN AND LAUNDRY ROOM CONSTRUCTION--CHANGE TO CONSTRUCTION
20 AND INSTALLATION OF FLOORING SYSTEMS--SEVERANCE TAX BONDS.--The
21 unexpended balance of the appropriation to the local government
22 division in Subsection 90 of Section 26 of Chapter 80 of Laws
23 2018 for kitchen and laundry room facilities for the Mesilla
24 Valley community of hope homeless facility in Las Cruces in
25 Dona Ana county shall not be expended for the original purpose

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1 but is changed to plan, design, construct, purchase and install
2 flooring systems at that facility in Las Cruces in Dona Ana
3 county.

4 SECTION 6. CORONA STREET CONSTRUCTION--EXPAND PURPOSE--
5 EXTEND TIME--SEVERANCE TAX BONDS.--The department of
6 transportation project in Subsection 43 of Section 33 of
7 Chapter 3 of Laws 2015 (1st S.S.) to plan, design and construct
8 street improvements in Corona in Lincoln county may include the
9 purchase and installation of street improvement materials. The
10 time of expenditure is extended through fiscal year 2021.

11 SECTION 7. MAIN STREET CORONA SIDEWALK IMPROVEMENTS--
12 EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The local
13 government division project in Subsection 44 of Section 33 of
14 Chapter 3 of Laws 2015 (1st S.S.) to construct and rehabilitate
15 sidewalks to comply with the Americans with Disabilities Act of
16 1990 on Main street in Corona in Lincoln county may include
17 planning and designing. The time of expenditure is extended
18 through fiscal year 2021.

19 SECTION 8. TWELFTH JUDICIAL DISTRICT COURT HORTON COMPLEX
20 RENOVATION--CHANGE TO TWELFTH JUDICIAL DISTRICT AND MAGISTRATE
21 COURT FACILITY CONSTRUCTION--SEVERANCE TAX BONDS.--The
22 unexpended balance of the appropriation to the local government
23 division in Subsection 122 of Section 26 of Chapter 80 of Laws
24 2018 to renovate space in the Horton complex for the twelfth
25 judicial district court in Ruidoso in Lincoln county shall not

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1 be expended for the original purpose but is changed to plan,
2 design, construct, furnish and equip a facility for the
3 magistrate court and the twelfth judicial district court in
4 Ruidoso in Lincoln county.

5 SECTION 9. BLUE MEDICINE WELL ROAD IMPROVEMENTS--
6 CLARIFYING PROJECT--SEVERANCE TAX BONDS.--The department of
7 transportation project in Subsection 43 of Section 32 of
8 Chapter 80 of Laws 2018 is to design and construct improvements
9 to Blue Medicine Well road in the Baahaali chapter of the
10 Navajo Nation in McKinley county.

11 SECTION 10. HIGH ROLLS SENIOR CENTER CONSTRUCTION--EXTEND
12 TIME--SEVERANCE TAX BONDS.--The time of expenditure for the
13 aging and long-term services department project in Subsection
14 45 of Section 3 of Chapter 3 of Laws 2015 (1st S.S.) to plan,
15 design and construct a building, including related site
16 improvements, a parking lot, equipment and furniture, for the
17 High Rolls senior center in Otero county is extended through
18 fiscal year 2021.

19 SECTION 11. ACEQUIA DE LOS VIGILES IMPROVEMENTS--EXTEND
20 TIME--SEVERANCE TAX BONDS.--The time of expenditure for the
21 interstate stream commission project in Subsection 7 of Section
22 27 of Chapter 3 of Laws 2015 (1st S.S.) to plan, design and
23 construct improvements for the acequia de los Vigiles in El
24 Guache in Rio Arriba county is extended through fiscal year
25 2021.

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1 **SECTION 12. NEWCOMB MIDDLE SCHOOL DRAINAGE IMPROVEMENTS**
2 CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of
3 expenditure for the public education department project in
4 Subsection 228 of Section 15 of Chapter 3 of Laws 2015 (1st
5 S.S.) for drainage improvements at Newcomb middle school in the
6 Central consolidated school district in San Juan county is
7 extended through fiscal year 2021.

8 **SECTION 13. SANTA FE COUNTY AGUA FRIA AREA ANTONIO LANE**
9 SEWER LINE EXTENSIONS AND CONSTRUCTION--EXTEND TIME--SEVERANCE
10 TAX BONDS.--The time of expenditure for the local government
11 division project in Subsection 65 of Section 20 of Chapter 3 of
12 Laws 2015 (1st S.S.) to plan, design and construct sewer line
13 extensions through Antonio lane in the Agua Fria area of Santa
14 Fe county is extended through fiscal year 2021.

15 **SECTION 14. CHILDREN, YOUTH AND FAMILIES DEPARTMENT**
16 CAMINO NUEVO EMERGENCY ACCESS DRIVEWAY CONSTRUCTION--EXPAND
17 PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The capital program
18 fund project in Subsection 1 of Section 6 of Chapter 3 of Laws
19 2015 (1st S.S.) to plan, design and construct a secondary
20 emergency access road, including a sally port, retaining walls
21 and related infrastructure and improvements, at the Camino
22 Nuevo youth center and youth diagnostic and development center
23 facilities in Albuquerque in Bernalillo county may include
24 planning, designing, constructing, renovating, equipping and
25 furnishing children, youth and families department facilities

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1 statewide. The time of expenditure is extended through fiscal
2 year 2021.

3 SECTION 15. SANTA FE COUNTY CIVIL WAR MONUMENT

4 CONSTRUCTION--CLARIFY PROJECT--CHANGE AGENCY--EXTEND TIME--

5 SEVERANCE TAX BONDS.--The unexpended balance of the
6 appropriation to the local government division in Subsection
7 194 of Section 22 of Chapter 81 of Laws 2016 to plan, design
8 and construct an American civil war monument in Glorieta in
9 Santa Fe county shall not be expended for the original purpose
10 but is appropriated to the department of military affairs to
11 plan, design and construct an American civil war monument,
12 including the purchase and installation of information
13 technology and related equipment, furniture and infrastructure,
14 at the New Mexico national guard Bataan military museum in
15 Santa Fe in Santa Fe county. The time of expenditure is
16 extended through fiscal year 2021.

17 SECTION 16. EMERGENCY.--It is necessary for the public

18 peace, health and safety that this act take effect immediately.