

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 2

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

INTRODUCED BY

Henry 'Kiki' Saavedra

AN ACT

MAKING GENERAL APPROPRIATIONS AND AUTHORIZING EXPENDITURES BY
STATE AGENCIES REQUIRED BY LAW.

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

SECTION 1. SHORT TITLE.--This act may be cited as the
"General Appropriation Act of 2013".

SECTION 2. DEFINITIONS.--As used in the General
Appropriation Act of 2013:

A. "agency" means an office, department, agency,
institution, board, bureau, commission, court, district
attorney, council or committee of state government;

B. "federal funds" means any payments by the United
States government to state government or agencies except those
payments made in accordance with the federal Mineral Lands
Leasing Act;

.191232.1SA

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
~~[bracketed material] = delete~~

1 C. "general fund" means that fund created by
2 Section 6-4-2 NMSA 1978 and includes federal Mineral Lands
3 Leasing Act receipts and those payments made in accordance with
4 federal block grants and the federal Workforce Investment Act
5 of 1998, but "general fund" excludes the general fund operating
6 reserve, the appropriation contingency fund, the tax
7 stabilization reserve and any other fund, reserve or account
8 from which general appropriations are restricted by law;

9 D. "interagency transfers" means revenue, other
10 than internal service funds, legally transferred from one
11 agency to another;

12 E. "internal service funds" means:

13 (1) revenue transferred to an agency for the
14 financing of goods or services to another agency on a cost-
15 reimbursement basis; and

16 (2) unreserved undesignated fund balances in
17 agency internal service fund accounts appropriated by the
18 General Appropriation Act of 2013;

19 F. "other state funds" means:

20 (1) unreserved undesignated fund balances in
21 agency accounts, other than in internal service fund accounts,
22 appropriated by the General Appropriation Act of 2013;

23 (2) all revenue available to agencies from
24 sources other than the general fund, internal service funds,
25 interagency transfers and federal funds; and

.191232.1SA

underscored material = new
~~[bracketed material] = delete~~

1 (3) all revenue, the use of which is
2 restricted by statute or agreement; and

3 G. "revenue" means all money received by an agency
4 from sources external to that agency, net of refunds and other
5 correcting transactions, other than from issue of debt,
6 liquidation of investments or as agent or trustee for other
7 governmental entities or private persons.

8 **SECTION 3. GENERAL PROVISIONS.--**

9 A. For fiscal year 2014, appropriations are made as
10 set out in Section 4 of the General Appropriation Act of 2013
11 from the general fund, internal service funds and interagency
12 transfers or other state funds as indicated to state agencies
13 named or for the purposes expressed, or so much thereof as may
14 be necessary, within available revenue and unreserved
15 undesignated fund balances.

16 B. Unreserved undesignated fund balances in agency
17 accounts remaining at the end of fiscal year 2014 shall revert
18 to the general fund by September 30, 2014 unless otherwise
19 indicated in the General Appropriation Act of 2013 or otherwise
20 provided by law.

21 C. The state budget division of the department of
22 finance and administration shall monitor revenue received by
23 agencies from sources other than the general fund and shall
24 reduce the operating budget of any agency whose revenue from
25 such sources is not meeting projections.

.191232.1SA

underscoring material = new
~~[bracketed material] = delete~~

1 D. Except as otherwise specifically stated in the
2 General Appropriation Act of 2013, appropriations are made in
3 that act for the expenditures of agencies and for other
4 purposes as required by existing law for fiscal year 2014. If
5 any other act of the first session of the fifty-first
6 legislature changes existing law with regard to the name or
7 responsibilities of an agency or the name or purpose of a fund
8 or distribution, the appropriation made in the General
9 Appropriation Act of 2013 shall be transferred from the agency,
10 fund or distribution to which an appropriation has been made as
11 required by existing law to the appropriate agency, fund or
12 distribution provided by the new law.

13 E. Pursuant to Sections 6-3-23 through 6-3-25 NMSA
14 1978, the state budget division may approve increases in
15 budgets for state agencies whose revenues from other state
16 funds, internal service funds and interagency transfers exceed
17 amounts specified in the General Appropriation Act of 2013. If
18 approved by the state budget division, such increases in other
19 state funds, internal service funds and interagency transfers
20 are hereby appropriated.

21 F. For the purpose of administering the General
22 Appropriation Act of 2013, the state shall follow the modified
23 accrual basis of accounting for governmental funds in
24 accordance with the manual of model accounting practices issued
25 by the department of finance and administration.

.191232.1SA

underscoring material = new
[bracketed material] = delete

1 G. When approving budgets based on appropriations
2 in the General Appropriation Act of 2013, the state budget
3 division is specifically authorized to approve budgets in
4 accordance with generally accepted accounting principles, and
5 the authority to extend the availability period of an
6 appropriation through the use of an encumbrance shall follow
7 the modified accrual basis of accounting for governmental funds
8 in accordance with the manual of model accounting practices
9 issued by the department of finance and administration.

10 H. Laws 2012, Chapter 179, Section 4 is repealed
11 effective July 1, 2013.

12 **SECTION 4. FISCAL YEAR 2013 APPROPRIATIONS.--**

13 A. LEGISLATIVE.--Eighteen million two hundred
14 seventy-five thousand two hundred dollars (\$18,275,200) is
15 appropriated from the general fund to the legislative council
16 service for allocation to legislative agencies in fiscal year
17 2014.

18 B. JUDICIAL.--Two hundred five million three
19 hundred ninety-one thousand nine hundred dollars (\$205,391,900)
20 from the general fund, twenty-three million five hundred
21 twenty-three thousand seven hundred dollars (\$23,523,700) from
22 other state funds, eight million four hundred forty-one
23 thousand six hundred dollars (\$8,441,600) from internal service
24 funds/interagency transfers and two million three hundred
25 sixty-nine thousand four hundred dollars (\$2,369,400) from

.191232.1SA

underscored material = new
~~[bracketed material] = delete~~

1 federal funds is appropriated to the administrative office of
2 the courts for allocation to judicial agencies in fiscal year
3 2014.

4 C. GENERAL CONTROL.--One hundred sixty-nine million
5 three hundred ninety-one thousand eight hundred dollars
6 (\$169,391,800) from the general fund, one billion three hundred
7 thirty million six hundred fifty-four thousand four hundred
8 dollars (\$1,330,654,400) from other state funds, twenty-eight
9 million six hundred thirty-six thousand one hundred dollars
10 (\$28,636,100) from internal service funds/interagency transfers
11 and thirteen million nine hundred forty-two thousand one
12 hundred dollars (\$13,942,100) from federal funds is
13 appropriated to the department of finance and administration
14 for allocation to general control agencies in fiscal year 2014.

15 D. COMMERCE AND INDUSTRY.--Forty-nine million one
16 hundred ninety-four thousand three hundred dollars
17 (\$49,194,300) from the general fund, sixty-nine million seven
18 hundred twenty-two thousand three hundred dollars (\$69,722,300)
19 from other state funds, seventeen million seven hundred forty-
20 two thousand seven hundred dollars (\$17,742,700) from internal
21 service funds/interagency transfers and nine hundred twenty
22 thousand dollars (\$920,000) from federal funds is appropriated
23 to the department of finance and administration for allocation
24 to commerce and industry agencies in fiscal year 2014.

25 E. AGRICULTURE, ENERGY AND NATURAL RESOURCES.--

.191232.1SA

underscoring material = new
~~[bracketed material] = delete~~

1 Sixty-nine million eight hundred ninety-seven thousand five
2 hundred dollars (\$69,897,500) from the general fund, ninety-two
3 million three hundred eighty-five thousand one hundred dollars
4 (\$92,385,100) from other state funds, twenty-one million seven
5 hundred thirty-six thousand seven hundred dollars (\$21,736,700)
6 from internal service funds/interagency transfers and thirty-
7 three million four hundred forty-six thousand one hundred
8 dollars (\$33,446,100) from federal funds is appropriated to the
9 department of finance and administration for allocation to
10 agriculture, energy and natural resources agencies in fiscal
11 year 2014.

12 F. HEALTH, HOSPITALS AND HUMAN SERVICES.--One
13 billion six hundred forty-eight million three hundred thirty
14 thousand dollars (\$1,648,330,000) from the general fund, three
15 hundred thirty-nine million seven hundred forty-one thousand
16 six hundred dollars (\$339,741,600) from other state funds, two
17 hundred fifty-four million three hundred twenty-seven thousand
18 eight hundred dollars (\$254,327,800) from internal service
19 funds/interagency transfers and four billion four hundred
20 sixty-eight million three hundred twenty-nine thousand seven
21 hundred dollars (\$4,468,329,700) from federal funds is
22 appropriated to the department of finance and administration
23 for allocation to health, hospitals and human services agencies
24 in fiscal year 2014.

25 G. PUBLIC SAFETY.--Three hundred eighty-one million
.191232.1SA

underscoring material = new
[bracketed material] = delete

1 one hundred twenty thousand six hundred dollars (\$381,120,600)
2 from the general fund, thirty-one million two hundred five
3 thousand dollars (\$31,205,000) from other state funds, twenty-
4 one million two hundred forty-six thousand two hundred dollars
5 (\$21,246,200) from internal service funds/interagency transfers
6 and sixty-three million four hundred thirty-three thousand
7 seven hundred dollars (\$63,433,700) from federal funds is
8 appropriated to the department of finance and administration
9 for allocation to public safety agencies in fiscal year 2014.

10 H. TRANSPORTATION.--Four hundred forty-six million
11 three hundred forty-eight thousand two hundred dollars
12 (\$446,348,200) from other state funds and four hundred three
13 million four hundred forty-nine thousand dollars (\$403,449,000)
14 from federal funds is appropriated to the department of finance
15 and administration for allocation to transportation agencies in
16 fiscal year 2014.

17 I. OTHER EDUCATION.--Eighty-four million three
18 hundred seventeen thousand six hundred dollars (\$84,317,600)
19 from the general fund, ten million two hundred eighteen
20 thousand three hundred dollars (\$10,218,300) from other state
21 funds, seventeen thousand six hundred dollars (\$17,600) from
22 internal service funds/interagency transfers and twenty-seven
23 million sixty-one thousand seven hundred dollars (\$27,061,700)
24 from federal funds is appropriated to the department of finance
25 and administration for allocation to other education agencies

.191232.1SA

underscored material = new
[bracketed material] = delete

1 in fiscal year 2014.

2 J. HIGHER EDUCATION.--Seven hundred eighty-one
3 million seven hundred seventeen thousand nine hundred dollars
4 (\$781,717,900) from the general fund, fifty-nine million six
5 hundred thirty-nine thousand one hundred dollars (\$59,639,100)
6 from other state funds, forty-four million five hundred twenty-
7 two thousand seven hundred dollars (\$44,522,700) from internal
8 service funds/interagency transfers and ten million six hundred
9 forty-four thousand seven hundred dollars (\$10,644,700) from
10 federal funds is appropriated to the higher education
11 department for expenditure or allocation to higher education
12 agencies in fiscal year 2014.

13 K. PUBLIC SCHOOL SUPPORT.--Two billion four hundred
14 seventy-three million eight hundred thirty-four thousand nine
15 hundred dollars (\$2,473,834,900) from the general fund, three
16 million dollars (\$3,000,000) from other state funds and four
17 hundred fourteen million two hundred two thousand three hundred
18 dollars (\$414,202,300) from federal funds is appropriated to
19 the public education department for expenditure or allocation
20 to public school districts in fiscal year 2014.

21 SECTION 5. SEVERABILITY.--If any part or application of
22 this act is held invalid, the remainder or its application to
23 other situations or persons shall not be affected.