

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

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Larry A. Larrañaga

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 2015".

SECTION 2. DEFINITIONS.--As used in the General
Appropriation Act of 2015:

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

B. "efficiency" means the measure of the degree to
which services are efficient and productive and is often
expressed in terms of dollars or time per unit of output;

C. "explanatory" means information that can help

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

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

1 users to understand reported performance measures and to
2 evaluate the significance of underlying factors that may have
3 affected the reported information;

4 D. "federal funds" means any payments by the United
5 States government to state government or agencies, except those
6 payments made in accordance with the federal Mineral Leasing
7 Act;

8 E. "general fund" means that fund created by
9 Section 6-4-2 NMSA 1978 and includes federal Mineral Leasing
10 Act receipts and those payments made in accordance with the
11 federal block grant and the federal Workforce Investment Act of
12 1998 but excludes the general fund operating reserve, the
13 appropriation contingency fund, the tax stabilization reserve
14 and any other fund, reserve or account from which general
15 appropriations are restricted by law;

16 F. "interagency transfers" means revenue, other
17 than internal service funds, legally transferred from one
18 agency to another;

19 G. "internal service funds" means:

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

23 (2) balances in agency internal service fund
24 accounts appropriated by the General Appropriation Act of 2015;

25 H. "other state funds" means:

.198883.1

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

1 (1) nonreverting balances in agency accounts,
2 other than in internal service funds accounts, appropriated by
3 the General Appropriation Act of 2015;

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

7 (3) all revenue, the use of which is
8 restricted by statute or agreement;

9 I. "outcome" means the measure of the actual impact
10 or public benefit of a program;

11 J. "output" means the measure of the volume of work
12 completed or the level of actual services or products delivered
13 by a program;

14 K. "performance measure" means a quantitative or
15 qualitative indicator used to assess a program;

16 L. "quality" means the measure of the quality of a
17 good or service produced and is often an indicator of the
18 timeliness, reliability or safety of services or products
19 produced by a program;

20 M. "revenue" means all money received by an agency
21 from sources external to that agency, net of refunds and other
22 correcting transactions, other than from issue of debt,
23 liquidation of investments or as agent or trustee for other
24 governmental entities or private persons; and

25 N. "target" means the expected level of performance

.198883.1

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

1 of a program's performance measures.

2 SECTION 3. GENERAL PROVISIONS.--

3 A. Amounts set out under column headings are
4 expressed in thousands of dollars.

5 B. Amounts set out under column headings are
6 appropriated from the source indicated by the column heading.
7 All amounts set out under the column heading "Internal Service
8 Funds/Interagency Transfers" are intergovernmental transfers
9 and do not represent a portion of total state government
10 appropriations. All information designated as "Total" or
11 "Subtotal" is provided for information, and amounts are not
12 appropriations.

13 C. Amounts set out in Section 4 of the General
14 Appropriation Act of 2015, or so much as may be necessary, are
15 appropriated from the indicated source for expenditure in
16 fiscal year 2016 for the objects expressed.

17 D. Unexpended balances in agency accounts remaining
18 at the end of fiscal year 2015 shall revert to the general fund
19 by October 1, 2015, unless otherwise indicated in the General
20 Appropriation Act of 2015 or otherwise provided by law.

21 E. Unexpended balances in agency accounts remaining
22 at the end of fiscal year 2016 shall revert to the general fund
23 by October 1, 2016, unless otherwise indicated in the General
24 Appropriation Act of 2015 or otherwise provided by law.

25 F. The state budget division shall monitor revenue

.198883.1

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

1 received by agencies from sources other than the general fund
2 and shall reduce the operating budget of any agency whose
3 revenue from such sources is not meeting projections. The
4 state budget division shall notify the legislative finance
5 committee of any operating budget reduced pursuant to this
6 subsection.

7 G. Except as otherwise specifically stated in the
8 General Appropriation Act of 2015, appropriations are made in
9 that act for the expenditures of agencies and for other
10 purposes as required by existing law for fiscal year 2016. If
11 any other act of the first session of the fifty-second
12 legislature changes existing law with regard to the name or
13 responsibilities of an agency or the name or purpose of a fund
14 or distribution, the appropriation made in the General
15 Appropriation Act of 2015 shall be transferred from the agency,
16 fund or distribution to which an appropriation had been made as
17 required by existing law to the appropriate agency, fund or
18 distribution provided by the new law.

19 H. Pursuant to Sections 6-3-23 through 6-3-25 NMSA
20 1978, agencies whose revenue from state board of finance loans,
21 from revenue appropriated by other acts of the legislature,
22 from any Native American tribe, pueblo or political subdivision
23 pursuant to a contract, memorandum of understanding or joint
24 powers agreement, or from gifts, grants, donations, bequests,
25 insurance settlements, refunds or payments into revolving funds

.198883.1

underscored material = new
[bracketed material] = delete

1 exceeds specifically appropriated amounts may request budget
2 increases from the state budget division. If approved by the
3 state budget division, such money is appropriated.

4 I. Except for gasoline credit cards used solely for
5 operation of official vehicles, telephone credit cards used
6 solely for official business and procurement cards used as
7 authorized by Section 6-5-9.1 NMSA 1978, none of the
8 appropriations contained in the General Appropriation Act of
9 2015 may be expended for payment of agency-issued credit card
10 invoices.

11 J. To prevent unnecessary spending, expenditures
12 from the General Appropriation Act of 2015 for gasoline for
13 state-owned vehicles at public gasoline service stations shall
14 be made only for self-service gasoline; provided that a state
15 agency head may provide exceptions from the requirement to
16 accommodate disabled persons or for other reasons the public
17 interest may require.

18 K. For the purpose of administering the General
19 Appropriation Act of 2015, the state shall follow the modified
20 accrual basis of accounting for governmental funds in
21 accordance with the manual of model accounting practices issued
22 by the department of finance and administration.

23 SECTION 4. FISCAL YEAR 2016 APPROPRIATIONS.--

24 A. LEGISLATIVE.--Nineteen million six hundred
25 fifty-four thousand dollars (\$19,654,000) is appropriated from
.198883.1

underscoring material = new
[bracketed material] = delete

1 the general fund to the legislative council service for
2 allocation to legislative agencies in fiscal year 2016.

3 B. JUDICIAL.--Two hundred twenty-two million one
4 hundred sixty-two thousand nine hundred dollars (\$222,162,900)
5 from the general fund, twenty-five million seven hundred eighty
6 thousand dollars (\$25,780,000) from other state funds, five
7 million nine hundred eighty-four thousand six hundred dollars
8 (\$5,894,600) from internal service funds/interagency transfers
9 and two million five hundred thirty-two thousand five hundred
10 dollars (\$2,532,500) from federal funds is appropriated to the
11 administrative office of the courts for allocation to judicial
12 agencies in fiscal year 2016.

13 C. GENERAL CONTROL.--One hundred eighty-three
14 million one hundred seventy-nine thousand five hundred dollars
15 (\$183,179,500) from the general fund, one billion four hundred
16 sixteen million nine hundred forty-seven thousand seven hundred
17 dollars (\$1,416,947,700) from other state funds, fifty-four
18 million two hundred twenty thousand nine hundred dollars
19 (\$54,220,900) from internal service funds/interagency transfers
20 and twelve million eight hundred twenty-one thousand three
21 hundred dollars (\$12,821,300) from federal funds is
22 appropriated to the department of finance and administration
23 for allocation to general control agencies in fiscal year 2016.

24 D. COMMERCE AND INDUSTRY.--Fifty-four million one
25 hundred twenty-two thousand dollars (\$54,122,000) from the

.198883.1

underscored material = new
[bracketed material] = delete

1 general fund, seventy-five million three hundred eight
2 thousand three hundred dollars (\$75,308,300) from other state
3 funds, twenty million nine hundred fifty-nine thousand nine
4 hundred dollars (\$20,959,900) from internal service
5 funds/interagency transfers and two million six hundred
6 twenty-four thousand five hundred dollars (\$2,624,500) from
7 federal funds is appropriated to the department of finance and
8 administration for allocation to commerce and industry agencies
9 in fiscal year 2016.

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

11 Sixty-eight million eight hundred three thousand six hundred
12 dollars (\$68,803,600) from the general fund, one hundred two
13 million six hundred twenty-two thousand four hundred dollars
14 (\$102,622,400) from other state funds, twenty-six million five
15 hundred eighty-two thousand eight hundred dollars (\$26,582,800)
16 from internal service funds/interagency transfers and
17 thirty-four million nine hundred ninety-nine thousand four
18 hundred dollars (\$34,999,400) from federal funds is
19 appropriated to the department of finance and administration
20 for allocation to agriculture, energy and natural resources
21 agencies in fiscal year 2016.

22 F. HEALTH, HOSPITALS AND HUMAN SERVICES.--One

23 billion six hundred eighty-nine million eight hundred six
24 thousand dollars (\$1,689,806,000) from the general fund, three
25 hundred twenty-five million one hundred fifty-two thousand five

.198883.1

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

1 hundred dollars (\$325,152,500) from other state funds, two
2 hundred eighty-five million three hundred sixty-three
3 thousand two hundred dollars (\$285,363,200) from internal
4 service funds/interagency transfers and five billion seven
5 hundred four million three hundred twelve thousand one hundred
6 dollars (\$5,704,312,100) from federal funds is appropriated to
7 the department of finance and administration for allocation to
8 health, hospitals and human services agencies in fiscal year
9 2016.

10 G. PUBLIC SAFETY.--Four hundred eighteen million
11 five thousand six hundred dollars (\$418,005,600) from the
12 general fund, forty million three hundred fifty-three thousand
13 seven hundred dollars (\$40,353,700) from other state funds,
14 thirteen million two hundred six thousand one hundred dollars
15 (\$13,206,100) from internal service funds/interagency transfers
16 and seventy-one million three hundred seventy-two thousand nine
17 hundred dollars (\$71,372,900) from federal funds is
18 appropriated to the department of finance and administration
19 for allocation to public safety agencies in fiscal year 2016.

20 H. TRANSPORTATION.--Four hundred twenty-nine
21 million one hundred twenty-one thousand five hundred dollars
22 (\$429,121,500) from other state funds and four hundred eight
23 million six hundred twelve thousand four hundred dollars
24 (\$408,612,400) from federal funds is appropriated to the
25 department of finance and administration for allocation to

.198883.1

underscored material = new
[bracketed material] = delete

1 transportation agencies in fiscal year 2016.

2 I. OTHER EDUCATION.--One hundred twenty-eight
3 million seven hundred fifty-one thousand five hundred dollars
4 (\$128,751,500) from the general fund, eleven million four
5 hundred ninety thousand three hundred dollars (\$11,490,300)
6 from other state funds, thirty-six thousand dollars (\$36,000)
7 from internal service funds/interagency transfers and
8 twenty-seven million nine hundred ninety-four thousand five
9 hundred dollars (\$27,994,500) from federal funds is
10 appropriated to the department of finance and administration
11 for allocation to other education agencies in fiscal year 2016.

12 J. HIGHER EDUCATION.--Eight hundred forty-six
13 million six hundred one thousand three hundred dollars
14 (\$846,601,300) from the general fund, twenty-one million four
15 hundred forty-three thousand four hundred dollars (\$21,443,400)
16 from other state funds, forty-two million two hundred
17 seventy-seven thousand three hundred dollars (\$42,277,300) from
18 internal service funds/interagency transfers and nine million
19 seven hundred fourteen thousand five hundred dollars
20 (\$9,714,500) from federal funds is appropriated to the higher
21 education department for expenditure or allocation to higher
22 education agencies in fiscal year 2016.

23 K. PUBLIC SCHOOL SUPPORT.--Two billion six hundred
24 fifty-four million seven hundred twelve thousand dollars
25 (\$2,654,712,000) from the general fund, three million five

.198883.1

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

1 hundred thousand dollars (\$3,500,000) from other state funds
2 and four hundred fourteen million two hundred two thousand
3 three hundred dollars (\$414,202,300) from federal funds is
4 appropriated to the public education department for expenditure
5 or allocation to public school districts in fiscal year 2016.

6 L. COMPENSATION APPROPRIATIONS.--Four million
7 dollars (\$4,000,000) is appropriated from the general fund to
8 the department of finance and administration for expenditure in
9 fiscal year 2016 to implement phase two of the law enforcement
10 pay plan for all commissioned officers in the department of
11 public safety in accordance with the specific structure of the
12 department of public safety's law enforcement pay plan based on
13 years of service and officer rank.

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