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HOUSE BILL 2

**51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014**

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 2014".

SECTION 2. DEFINITIONS.--As used in the General  
Appropriation Act of 2014:

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;

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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 2014;

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 2014;

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

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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 2015, 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 2015 shall revert  
18 to the general fund by September 30, 2015 unless otherwise  
19 indicated in the General Appropriation Act of 2014 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.

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1           D. Except as otherwise specifically stated in the  
2 General Appropriation Act of 2014, 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 2015. If  
5 any other act of the second 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 2014 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 2014. 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 2014, 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.

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1           G. When approving budgets based on appropriations  
2 in the General Appropriation Act of 2014, 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 2013, Chapter 227, Section 4 is repealed  
11 effective July 1, 2014.

12           **SECTION 4. FISCAL YEAR 2015 APPROPRIATIONS.--**

13           A. LEGISLATIVE.--Nineteen million three hundred  
14 five thousand three hundred dollars (\$19,305,300) is  
15 appropriated from the general fund to the legislative council  
16 service for allocation to legislative agencies in fiscal year  
17 2015.

18           B. JUDICIAL.--Two hundred eleven million one  
19 hundred eighty thousand four hundred dollars (\$211,180,400)  
20 from the general fund, twenty-four million one hundred fourteen  
21 thousand one hundred dollars (\$24,114,100) from other state  
22 funds, eight million five hundred fifty-six thousand four  
23 hundred dollars (\$8,556,400) from internal service  
24 funds/interagency transfers and two million three hundred  
25 twenty-three thousand five hundred dollars (\$2,323,500) from

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1 federal funds is appropriated to the administrative office of  
2 the courts for allocation to judicial agencies in fiscal year  
3 2015.

4 C. GENERAL CONTROL.--One hundred seventy-seven  
5 million two hundred seventeen thousand two hundred dollars  
6 (\$177,217,200) from the general fund, one billion four hundred  
7 thirty-nine million nine hundred forty-four thousand seven  
8 hundred dollars (\$1,439,944,700) from other state funds,  
9 thirty-four million four hundred twelve thousand four hundred  
10 dollars (\$34,412,400) from internal service funds/interagency  
11 transfers and fourteen million sixty-two thousand three hundred  
12 dollars (\$14,062,300) from federal funds is appropriated to the  
13 department of finance and administration for allocation to  
14 general control agencies in fiscal year 2015.

15 D. COMMERCE AND INDUSTRY.--Fifty-two million one  
16 hundred fifty-eight thousand dollars (\$52,158,000) from the  
17 general fund, seventy-one million six hundred sixty-six  
18 thousand two hundred dollars (\$71,666,200) from other state  
19 funds, seventeen million nine hundred fifteen thousand dollars  
20 (\$17,915,000) from internal service funds/interagency transfers  
21 and eight hundred nineteen thousand four hundred dollars  
22 (\$819,400) from federal funds is appropriated to the department  
23 of finance and administration for allocation to commerce and  
24 industry agencies in fiscal year 2015.

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

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1 Seventy-two million one hundred thirty-six thousand dollars  
2 (\$72,136,000) from the general fund, ninety-six million eight  
3 hundred eleven thousand five hundred dollars (\$96,811,500) from  
4 other state funds, twenty-one million two hundred twelve  
5 thousand one hundred dollars (\$21,212,100) from internal  
6 service funds/interagency transfers and thirty-four million  
7 forty-seven thousand six hundred dollars (\$34,047,600) from  
8 federal funds is appropriated to the department of finance and  
9 administration for allocation to agriculture, energy and  
10 natural resources agencies in fiscal year 2015.

11 F. HEALTH, HOSPITALS AND HUMAN SERVICES.--One  
12 billion six hundred fifty-three million nine hundred eighty  
13 thousand dollars (\$1,653,980,000) from the general fund, three  
14 hundred twenty-two million two hundred ninety-two thousand  
15 eight hundred dollars (\$322,292,800) from other state funds,  
16 two hundred seventy million seven hundred eighty-two  
17 thousand one hundred dollars (\$270,782,100) from internal  
18 service funds/interagency transfers and four billion nine  
19 hundred thirty-six million two hundred ninety-six thousand two  
20 hundred dollars (\$4,936,296,200) from federal funds is  
21 appropriated to the department of finance and administration  
22 for allocation to health, hospitals and human services agencies  
23 in fiscal year 2015.

24 G. PUBLIC SAFETY.--Three hundred eighty-five  
25 million seven hundred thirty-four thousand one hundred dollars

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1 (\$385,734,100) from the general fund, thirty-six million five  
2 hundred forty thousand nine hundred dollars (\$36,540,900) from  
3 other state funds, fourteen million six hundred sixty-three  
4 thousand six hundred dollars (\$14,663,600) from internal  
5 service funds/interagency transfers and sixty-seven million  
6 four hundred fifty-six thousand five hundred dollars  
7 (\$67,456,500) from federal funds is appropriated to the  
8 department of finance and administration for allocation to  
9 public safety agencies in fiscal year 2015.

10 H. TRANSPORTATION.--Four hundred twenty-five  
11 million five hundred seven thousand five hundred dollars  
12 (\$425,507,500) from other state funds and four hundred eight  
13 million six hundred twelve thousand five hundred dollars  
14 (\$408,612,500) from federal funds is appropriated to the  
15 department of finance and administration for allocation to  
16 transportation agencies in fiscal year 2015.

17 I. OTHER EDUCATION.--One hundred twenty-four  
18 million two hundred twenty thousand one hundred dollars  
19 (\$124,220,100) from the general fund, twelve million one  
20 hundred twenty thousand four hundred dollars (\$12,120,400) from  
21 other state funds, thirty-six thousand dollars (\$36,000) from  
22 internal service funds/interagency transfers and twenty-seven  
23 million nine hundred ninety-four thousand five hundred dollars  
24 (\$27,994,500) from federal funds is appropriated to the  
25 department of finance and administration for allocation to

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1 other education agencies in fiscal year 2015.

2 J. HIGHER EDUCATION.--Eight hundred sixteen million  
3 eight hundred twenty-seven thousand eight hundred dollars  
4 (\$816,827,800) from the general fund, fourteen million nine  
5 thousand three hundred dollars (\$14,009,300) from other state  
6 funds, fifty-six million five hundred three thousand nine  
7 hundred dollars (\$56,503,900) from internal service  
8 funds/interagency transfers and ten million seven hundred  
9 ninety-seven thousand two hundred dollars (\$10,797,200) from  
10 federal funds is appropriated to the higher education  
11 department for expenditure or allocation to higher education  
12 agencies in fiscal year 2015.

13 K. PUBLIC SCHOOL SUPPORT.--Two billion five hundred  
14 forty-three million two hundred fifty-seven thousand five  
15 hundred dollars (\$2,543,257,500) from the general fund, one  
16 million five hundred thousand dollars (\$1,500,000) from other  
17 state funds and four hundred fourteen million two hundred two  
18 thousand three hundred dollars (\$414,202,300) from federal  
19 funds is appropriated to the public education department for  
20 expenditure or allocation to public school districts in fiscal  
21 year 2015.

22 L. COMPENSATION INCREASE.--Fourteen million one  
23 hundred seventy-nine thousand five hundred dollars  
24 (\$14,179,500) from the general fund is appropriated to the  
25 department of finance and administration for allocation to

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1 various agencies in fiscal year 2015.

2 M. LAWSUIT CLASS.--Two million dollars (\$2,000,000)  
3 from the general fund is appropriated to the department of  
4 finance and administration for allocation to various agencies  
5 in fiscal year 2015.

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

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