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2 HOUSE BILL 5
3 45th LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001
4

5 Leo C. Watchman Jr
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10 AN ACT

11 RELATING TO COURTS; MAKING APPROPRIATIONS.
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13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

14 Section 1. SHORT TITLE.--This act may be cited as the "Court Appropriation Act of 2001".

15 Section 2. DEFINITIONS.--As used in the Court Appropriation Act of 2001:

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

18 B. "expenditures" means costs, expenses, encumbrances and other financing uses,
19 other than refunds authorized by law, recognized in accordance with generally accepted
20 accounting principles for the legally authorized budget amounts and budget period;

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

24 D. "full-time employee" or "FTE" means one or more authorized positions that
25 together receive compensation for not more than two thousand eighty hours worked in fiscal

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	year 2002. The calculation of hours worked includes compensated absences but does not include				
2	overtime, compensatory time or sick leave paid pursuant to Section 10-7-10 NMSA 1978;				
3	E. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes				
4	federal Mineral Lands Leasing Act receipts, but excludes the general fund operating reserve				
5	and the appropriation contingency fund;				
6	F. "interagency transfers" means revenue, other than internal service funds,				
7	legally transferred from one agency to another;				
8	G. "internal service funds" means:				
9	(1) revenue transferred to an agency for the financing of goods or services to				
10	another agency on a cost-reimbursement basis; and				
11	(2) unencumbered balances in agency internal service fund accounts appropriated				
12	by the Court Appropriation Act of 2001;				
13	H. "other state funds" means:				
14	(1) unencumbered, nonreverting balances in state agency accounts, other than in				
15	internal service funds accounts, appropriated by the Court Appropriation Act of 2001;				
16	(2) all revenue available to state agencies from sources other than the general				
17	fund, internal service funds, interagency transfers and federal funds; and				
18	(3) all revenue, the use of which is restricted by statute or agreement;				
19	I. "revenue" means all money received by an agency from sources external to that				
20	agency, net of refunds and other correcting transactions, other than from issue of debt,				
21	liquidation of investments or as agent or trustee for other governmental entities or private				
22	persons; and				
23	J. "unforeseen federal funds" means a source of federal funds or an increased				
24	amount of federal funds that could not have been reasonably anticipated or known during the				
25	first session of the forty-fifth legislature and, therefore, could not have been requested by				

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an agency or appropriated by the legislature.

Section 3. FORMAT.--The general format of the appropriations set forth in the Court Appropriation Act of 2001 with respect to symbols used, column headings and amounts stated are those used in the General Appropriation Act of 2001.

Section 4. GENERAL PROVISIONS.--

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

B. Amounts set out under column headings are appropriated from the source indicated by the column heading. All amounts set out under the column heading "Internal Service Funds/Interagency Transfers" indicate an intergovernmental transfer and do not represent a portion of total state government appropriations. All information designated as "Totals" or "Subtotals" are provided for information and are not appropriations.

C. Amounts set out in Section 5 of the Court Appropriation Act of 2001, or so much as may be necessary, are appropriated from the indicated source for expenditure in fiscal year 2002 for the objects expressed.

D. Unencumbered balances in agency accounts remaining at the end of fiscal year 2001 shall revert to the general fund by October 1, 2001, unless otherwise indicated in the Court Appropriation Act of 2001 or otherwise provided by law.

E. Unencumbered balances in agency accounts remaining at the end of fiscal year 2002 shall revert to the general fund by October 1, 2002, unless otherwise indicated in the Court Appropriation Act of 2001 or otherwise provided by law.

F. The state budget division of the department of finance and administration shall monitor revenue received by agencies from sources other than the general fund and shall reduce the operating budget of any agency whose revenue from such sources is not meeting projections. The state budget division shall notify the legislative finance committee of any operating budget reduced pursuant to this subsection.

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
<p>1 G. Except as otherwise specifically stated in the Court Appropriation Act of 2001, 2 appropriations are made in that act for the expenditures of agencies and for other purposes as 3 required by existing law for fiscal year 2002. If any other act of the first session of the 4 forty-fifth legislature changes existing law with regard to the name or responsibilities of an 5 agency or the name or purpose of a fund or distribution, the appropriation made in the Court 6 Appropriation Act of 2001 shall be transferred from the agency, fund or distribution to which 7 an appropriation has been made as required by existing law to the appropriate agency, fund or 8 distribution provided by the new law.</p>					
<p>9 H. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, agencies whose revenue 10 from unforeseen federal funds, from state board of finance loans, from revenue appropriated by 11 other acts of the legislature or from gifts, donations, bequests, insurance settlements, 12 refunds or payments into revolving funds exceed specifically appropriated amounts may request 13 budget increases from the state budget division. If approved by the state budget division, 14 such money is appropriated. In approving a budget increase from unforeseen federal funds, the 15 director of the state budget division shall advise the legislative finance committee as to the 16 source of the federal funds and the source and amount of any matching funds required.</p>					
<p>17 I. For fiscal year 2002, the number of permanent and term full-time-equivalent 18 positions specified for each agency shows the maximum number of employees intended by the 19 legislature for that agency, unless another provision of the Court Appropriation Act of 2001 20 or another act of the first session of the forty-fifth legislature provides for additional 21 employees.</p>					
<p>22 J. Except for gasoline credit cards used solely for the operation of official 23 vehicles and telephone credit cards used solely for official business, none of the 24 appropriations contained in the Court Appropriation Act of 2001 may be expended for payment of 25 credit card invoices.</p>					

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
K. To prevent unnecessary spending, expenditures from the Court Appropriation Act of 2001 for gasoline for state-owned vehicles at public gasoline service stations shall be made only for self-service gasoline; provided that a state agency head may provide exceptions from the requirement to accommodate disabled persons or for other reasons the public interest may require.					
L. When approving operating budgets based on appropriations in the Court Appropriation Act of 2001, the state budget division is specifically authorized to approve only those budgets that are in accordance with generally accepted accounting principles for the purpose of properly classifying other financing sources and uses, including interfund, intrafund and interagency transfers.					
M. Laws 2000 (2nd S.S.), Chapter 5, Sections 4 and 5 are repealed effective July 1, 2001.					
Section 5. FISCAL YEAR 2002 APPROPRIATIONS.--					
SUPREME COURT LAW LIBRARY:					
(a) Personal services and employee benefits	497.8				497.8
(b) Contractual services	317.6				317.6
(c) Other financing uses	.2				.2
(d) Other	534.4				534.4
Authorized FTE: 9.00 Permanent					
Subtotal	[1,350.0]				1,350.0
NEW MEXICO COMPILATION COMMISSION:					
(a) Personal services and employee benefits		157.1			157.1
(b) Contractual services		834.9	40.0		874.9

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 (c) Other financing uses		.1			.1
2 (d) Other		140.9	30.0		170.9
3 Authorized FTE: 3.00 Permanent					
4 Subtotal	[1,133.0]		[70.0]		1,203.0
5 JUDICIAL STANDARDS COMMISSION:					
6 (a) Personal services and					
7 employee benefits	241.0				241.0
8 (b) Contractual services	21.9				21.9
9 (c) Other financing uses	1.0				1.0
10 (d) Other	90.2				90.2
11 Authorized FTE: 4.00 Permanent					
12 Subtotal	[354.1]				354.1
13 COURT OF APPEALS:					
14 (a) Personal services and					
15 employee benefits	3,582.1				3,582.1
16 (b) Contractual services	20.0				20.0
17 (c) Other financing uses	1.1				1.1
18 (d) Other	343.0				343.0
19 Authorized FTE: 57.00 Permanent					
20 Subtotal	[3,946.2]				3,946.2
21 SUPREME COURT:					
22 (a) Personal services and					
23 employee benefits	1,745.4				1,745.4
24 (b) Contractual services	98.4				98.4
25 (c) Other financing uses	.6				.6

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
(d) Other	182.9				182.9
Authorized FTE: 28.00 Permanent					
Subtotal [2,027.3]					2,027.3
ADMINISTRATIVE OFFICE OF THE COURTS:					
(1) Administrative support program:					
(a) Personal services and					
employee benefits	1,690.2				1,690.2
(b) Contractual services	3,298.5	5.2			3,303.7
(c) Other financing uses	963.7				963.7
(d) Other	3,280.1	644.8			3,924.9
Authorized FTE: 28.00 Permanent; 1.00 Term					
(2) Statewide judiciary automation program:					
(a) Personal services and					
employee benefits	1,145.9	1,207.5			2,353.4
(b) Contractual services		217.5			217.5
(c) Other		3,120.1			3,120.1
Authorized FTE: 35.50 Permanent; 2.00 Term					
(3) Warrant enforcement program:					
(a) Personal services and					
employee benefits		1,104.8			1,104.8
(b) Contractual services		652.0			652.0
(c) Other financing uses		.8			.8
(d) Other		227.0			227.0
Authorized FTE: 37.00 Term					
(4) Magistrate court program:					

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 (a) Personal services and					
2 employee benefits	10,093.3	350.0			10,443.3
3 (b) Contractual services	50.0				50.0
4 (c) Other financing uses	4.5				4.5
5 (d) Other	3,648.0				3,648.0
6 Authorized FTE: 233.5 Permanent					
7 Subtotal	[24,174.2]	[7,529.7]			31,703.9
8 SUPREME COURT BUILDING COMMISSION:					
9 (a) Personal services and					
10 employee benefits	374.3				374.3
11 (b) Contractual services	70.8				70.8
12 (c) Other financing uses	.3				.3
13 (d) Other	193.6				193.6
14 Authorized FTE: 12.00 Permanent					
15 Subtotal	[639.0]				639.0
16 DISTRICT COURTS:					
17 (1) First judicial district:					
18 (a) Personal services and					
19 employee benefits	3,269.2	179.4	148.6		3,597.2
20 (b) Contractual services	135.1	48.0	.3		183.4
21 (c) Other financing uses	2.0	.8			2.8
22 (d) Other	274.9	58.8	9.1		342.8
23 Authorized FTE: 61.50 Permanent; 5.50 Term					
24 (2) Second judicial district:					
25 (a) Personal services and					

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	employee benefits	12,836.7	544.3	428.7	13,809.7
2	(b) Contractual services	239.2	65.5	2.9	307.6
3	(c) Other financing uses	5.3	.2	.2	5.7
4	(d) Other	1,281.3	167.3	51.6	1,500.2
5	Authorized FTE:	264.50 Permanent;	16.00 Term		
6	(3) Third judicial district:				
7	(a) Personal services and				
8	employee benefits	2,201.9	33.9	122.2	2,358.0
9	(b) Contractual services	577.7	28.5	8.1	614.3
10	(c) Other	181.7	18.4	14.0	214.1
11	Authorized FTE:	42.50 Permanent;	3.00 Term		
12	(4) Fourth judicial district:				
13	(a) Personal services and				
14	employee benefits	880.8			880.8
15	(b) Contractual services	3.0			3.0
16	(c) Other financing uses	22.0			22.0
17	(d) Other	104.2			104.2
18	Authorized FTE:	19.00 Permanent			
19	(5) Fifth judicial district:				
20	(a) Personal services and				
21	employee benefits	2,997.3			2,997.3
22	(b) Contractual services	183.0	57.0		240.0
23	(c) Other financing uses	1.2			1.2
24	(d) Other	350.7	3.0		353.7
25	Authorized FTE:	61.50 Permanent			

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(6) Sixth judicial district:					
2	(a) Personal services and					
3	employee benefits	999.2			26.5	1,025.7
4	(b) Contractual services	162.2			96.0	258.2
5	(c) Other financing uses	.4				.4
6	(d) Other	151.3			14.7	166.0
7	Authorized FTE: 20.00 Permanent; 1.0 Term					
8	(7) Seventh judicial district:					
9	(a) Personal services and					
10	employee benefits	1,125.1				1,125.1
11	(b) Contractual services	57.8	8.0			65.8
12	(c) Other financing uses	.4				.4
13	(d) Other	137.6				137.6
14	Authorized FTE: 22.50 Permanent					
15	(8) Eighth judicial district:					
16	(a) Personal services and					
17	employee benefits	1,046.3				1,046.3
18	(b) Contractual services	166.7	30.0			196.7
19	(c) Other financing uses	.4				.4
20	(d) Other	141.9				141.9
21	Authorized FTE: 19.50 Permanent					
22	(9) Ninth judicial district:					
23	(a) Personal services and					
24	employee benefits	1,232.4		118.5		1,350.9
25	(b) Contractual services	171.4	23.5	3.5		198.4

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 (c) Other financing uses	.5				.5
2 (d) Other	222.9	1.5	8.0		232.4
3 Authorized FTE: 23.50 Permanent; 2.00 Term					
4 (10) Tenth judicial district:					
5 (a) Personal services and					
6 employee benefits	458.7				458.7
7 (b) Contractual services	7.6				7.6
8 (c) Other financing uses	15.2				15.2
9 (d) Other	71.5				71.5
10 Authorized FTE: 9.10 Permanent					
11 (11) Eleventh judicial district:					
12 (a) Personal services and					
13 employee benefits	2,288.1				2,288.1
14 (b) Contractual services	194.5	60.5		20.9	275.9
15 (c) Other financing uses	.8				.8
16 (d) Other	349.8	.5		.6	350.9
17 Authorized FTE: 48.50 Permanent					
18 (12) Twelfth judicial district:					
19 (a) Personal services and					
20 employee benefits	1,383.9		80.2		1,464.1
21 (b) Contractual services	24.7	26.5	132.5		183.7
22 (c) Other financing uses	.5				.5
23 (d) Other	164.6	13.0	36.6		214.2
24 Authorized FTE: 27.50 Permanent; 2.00 Term					
25 (13) Thirteenth judicial district:					

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Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
(a) Personal services and employee benefits	2,036.1				2,036.1
(b) Contractual services	38.0	51.0		59.3	148.3
(c) Other	333.7	4.0			337.7
Authorized FTE: 43.00 Permanent					
Subtotal	[38,531.4]	[1,423.6]	[1,165.0]	[218.0]	41,338.0
BERNALILLO COUNTY METROPOLITAN COURT:					
(a) Personal services and employee benefits	10,103.2	1,380.7			11,483.9
(b) Contractual services	1,093.4	422.0			1,515.4
(c) Other financing uses	4.5				4.5
(d) Other	1,909.1	201.1			2,110.2
Authorized FTE: 225.00 Permanent; 41.00 Term; 1.50 Temporary					
Subtotal	[13,110.2]	[2,003.8]			15,114.0
GRAND TOTAL FISCAL YEAR 2002					
COURT APPROPRIATIONS	84,132.4	12,090.1	1,235.0	218.0	97,675.5

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