49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

HOUSE BILL 840

Joni Marie Gutierrez

 AN ACT

RELATING TO STATE BUDGETS; PROVIDING THAT THE LIMITATION ON EXPENDITURES BY STATE AGENCIES DURING THE FIRST HALF OF A FISCAL YEAR APPLIES ONLY IN FISCAL YEARS IN WHICH THERE IS A GUBERNATORIAL ELECTION.

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

Section 1. Section 6-3-6 NMSA 1978 (being Laws 1957, Chapter 253, Section 7, as amended) is amended to read:

"6-3-6. STATE BUDGET DIVISION--PERIODIC ALLOTMENTS.--

A. The state budget division, subject to the approval of the secretary of finance and administration, is authorized to provide regulations for the periodic allotment of funds that may be expended by any state agency.

 $\underline{\text{B.}}$ The expenditures of any state agency as defined in Section [11-4-1.1 NMSA 1953] 6-3-1 NMSA 1978, for the first .174856.1SA

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[six-months] six-month period of each [odd-numbered] fiscal year in which there is a gubernatorial election shall be limited to one-half of the appropriation or approved budget, whichever is less, for that fiscal year. This restriction [shall] does not apply to those agencies whose operations are more efficiently measured by periods other than a fiscal year, including but not limited to the New Mexico legislative council, legislative committees [the inter-tribal Indian ceremonial] and the New Mexico state fair. Expenditures of [the inter-tribal Indian ceremonial and] the New Mexico state fair shall be governed by regulation of the department of finance and administration. The department of finance and administration may also allow expenditure of more than one-half of the appropriation or approved budget for those agencies planning major expenditures for capital outlay in the first six months of the fiscal year, which would result in overexpenditure of the first six-months' allocation."

Section 2. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 2009.

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