HOUSE BILL 2
55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022
INTRODUCED BY
Patricia A. Lundstrom

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 2022".

SECTION 2. DEFINITIONS.--As used in the General
Appropriation Act of 2022:

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

D. "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 Leasing
Act;

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

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

G. "internal service funds" means:
(1) revenue transferred to an agency for the
financing of goods or services to another agency on a cost-
reimbursement basis; and
(2) balances in agency internal service fund
accounts appropriated by the General Appropriation Act of 2022;

H. "other state funds" means:
(1) nonreverting balances in agency accounts, other than in internal service funds accounts, appropriated by the General Appropriation Act of 2022;

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

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

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

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

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

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

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

N. "target" means the expected level of performance.
of a program's performance measures.

SECTION 3. 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" are intergovernmental transfers and do not represent a portion of total state government appropriations. All information designated as "Total" or "Subtotal" is provided for information and amounts are not appropriations.

C. Amounts set out in Section 4 of the General Appropriation Act of 2022, or so much as may be necessary, are appropriated from the indicated source for expenditure in fiscal year 2023 for the objects expressed.

D. Unexpended balances in agency accounts remaining at the end of fiscal year 2022 shall revert to the general fund by October 1, 2022 unless otherwise indicated in the General Appropriation Act of 2022 or otherwise provided by law.

E. Unexpended balances in agency accounts remaining at the end of fiscal year 2023 shall revert to the general fund by October 1, 2023 unless otherwise indicated in the General Appropriation Act of 2022 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.

G. Except as otherwise specifically stated in the General Appropriation Act of 2022, appropriations are made in that act for the expenditures of agencies and for other purposes as required by existing law for fiscal year 2023. If any other act of the second session of the fifty-fifth legislature changes existing law with regard to the name or responsibilities of an agency or the name or purpose of a fund or distribution, the appropriation made in the General Appropriation Act of 2022 shall be transferred from the agency, fund or distribution to which an appropriation had been made as required by existing law to the appropriate agency, fund or distribution provided by the new law.

H. The department of finance and administration shall regularly consult with the legislative finance committee staff to compare fiscal year 2023 revenue collections with the revenue estimate. If the analyses indicate that revenues and transfers to the general fund are not expected to meet appropriations, the department shall present a plan to the legislative finance committee that outlines the methods by
which the administration proposes to address the deficit.

I. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, agencies whose revenue from state board of finance loans, from revenue appropriated by other acts of the legislature or from gifts, grants, donations, bequests, insurance settlements, refunds or payments into revolving funds exceeds specifically appropriated amounts may request budget increases from the state budget division. If approved by the state budget division, such money is appropriated.

J. Except for gasoline credit cards used solely for operation of official vehicles, telephone credit cards used solely for official business and procurement cards used as authorized by Section 6-5-9.1 NMSA 1978, none of the appropriations contained in the General Appropriation Act of 2022 may be expended for payment of agency-issued credit card invoices.

K. For the purpose of administering the General Appropriation Act of 2022, the state of New Mexico shall follow the modified accrual basis of accounting for governmental funds in accordance with the manual of model accounting practices issued by the department of finance and administration.

SECTION 4. FISCAL YEAR 2023 APPROPRIATIONS.--

A. LEGISLATIVE.--Twenty-five million one hundred four thousand five hundred dollars ($25,104,500) from the general fund and four hundred thousand dollars ($400,000) from .221939.1
other state funds is appropriated to the legislative council service for allocation to legislative agencies in fiscal year 2023.

B. JUDICIAL.--Three hundred forty million four hundred ten thousand two hundred dollars ($340,410,200) from the general fund, thirty-three million four hundred fifty-eight thousand six hundred dollars ($33,458,600) from other state funds, fourteen million one hundred sixty-one thousand three hundred dollars ($14,161,300) from internal service funds/interagency transfers and five million six hundred six thousand six hundred dollars ($5,606,600) from federal funds is appropriated to the administrative office of the courts for allocation to judicial agencies in fiscal year 2023.

C. GENERAL CONTROL.--One hundred eighty-eight million five hundred fifty-three thousand four hundred dollars ($188,553,400) from the general fund, one billion six hundred thirty-eight million five hundred twenty-four thousand five hundred dollars ($1,638,524,500) from other state funds, one hundred eighteen million four hundred ninety-one thousand four hundred dollars ($118,491,400) from internal services funds/interagency transfers and thirty-two million three hundred sixty-six thousand nine hundred dollars ($32,366,900) from federal funds is appropriated to the department of finance and administration for allocation to general control agencies in fiscal year 2023.
D. COMMERCE AND INDUSTRY.--Ninety-three million eight hundred sixty thousand eight hundred dollars ($93,860,800) from the general fund, one hundred sixty-seven million one hundred seventy-six thousand seven hundred dollars ($167,176,700) from other state funds, twenty-two million six hundred ninety-four thousand three hundred dollars ($22,694,300) from internal service funds/interagency transfers and nine hundred twenty-four thousand six hundred dollars ($924,600) from federal funds is appropriated to the department of finance and administration for allocation to commerce and industry agencies in fiscal year 2023.

E. AGRICULTURE, ENERGY AND NATURAL RESOURCES.--One hundred million seven hundred ninety-six thousand five hundred dollars ($100,796,500) from the general fund, ninety million three hundred eighty thousand eight hundred dollars ($90,380,800) from other state funds, thirteen million twenty-four thousand eight hundred dollars ($13,024,800) from internal service funds/interagency transfers and forty-four million five hundred eighteen thousand one hundred dollars ($44,518,100) from federal funds is appropriated to the department of finance and administration for allocation to agriculture, energy and natural resources agencies in fiscal year 2023.

F. HEALTH, HOSPITALS AND HUMAN SERVICES.--Two billion two hundred nineteen million five hundred ninety thousand dollars ($2,219,590,000) from the general fund, three
hundred ninety-seven million seven hundred ten thousand six
hundred dollars ($397,710,600) from other state funds, four
hundred ninety-four million eighteen thousand three hundred
dollars ($494,018,300) from internal service funds/interagency
transfers and seven billion six hundred forty-five million
eight hundred twenty-four thousand three hundred dollars
($7,645,824,300) from federal funds is appropriated to the
department of finance and administration for allocation to
health, hospitals and human services agencies in fiscal year
2023.

G. PUBLIC SAFETY.--Four hundred ninety-eight
million seven hundred fifty-six thousand four hundred dollars
($498,756,400) from the general fund, one hundred fifteen
million six hundred sixty-two thousand five hundred dollars
($115,662,500) from other state funds, twenty-two million nine
hundred twenty-six thousand eight hundred dollars ($22,926,800)
from internal service funds/interagency transfers and sixty-
nine million one hundred ninety-five thousand dollars
($69,195,000) from federal funds is appropriated to the
department of finance and administration for allocation to
public safety agencies in fiscal year 2023.

H. TRANSPORTATION.--Six hundred five million eight
hundred thirteen thousand dollars ($605,813,000) from other
state funds, eight million three hundred thousand dollars
($8,300,000) from internal service funds/interagency transfers
and four hundred thirty-seven million seventeen thousand seven hundred dollars ($437,017,700) from federal funds is appropriated to the department of finance and administration for allocation to transportation agencies in fiscal year 2023.

I. OTHER EDUCATION.--Sixty-two million two hundred twenty-seven thousand nine hundred dollars ($62,227,900) from the general fund, twenty-four million five hundred thirty-three thousand dollars ($24,533,000) from other state funds, six million two hundred fifteen thousand two hundred dollars ($6,215,200) from internal service funds/interagency transfers and thirty million eight hundred seven thousand four hundred dollars ($30,807,400) from federal funds is appropriated to the department of finance and administration for allocation to other education agencies in fiscal year 2023.

J. HIGHER EDUCATION.--One billion ten million seven hundred eighty-six thousand nine hundred dollars ($1,010,786,900) from the general fund, sixteen million eight hundred forty-three thousand six hundred dollars ($16,843,600) from other state funds, forty-three million ninety-three thousand three hundred dollars ($43,093,300) from internal service funds/interagency transfers and ten million four hundred ninety-two thousand seven hundred dollars ($10,492,700) from federal funds is appropriated to the higher education department for expenditure or allocation to higher education agencies in fiscal year 2023.
K. PUBLIC SCHOOL SUPPORT.--Three billion eight hundred three million nine hundred fifty-four thousand one hundred dollars ($3,803,954,100) from the general fund, seven million dollars ($7,000,000) from internal service funds/interagency transfers and four hundred eighty-six million three hundred thousand dollars ($486,300,000) from federal funds is appropriated to the public education department for expenditure or allocation to public school districts and charter schools in fiscal year 2023.

SECTION 5. FUND TRANSFERS.--Notwithstanding the provisions of Sections 6-4-9 and 6-4-11 NMSA 1978 or other substantive law, the department of finance and administration shall transfer an amount from the tobacco settlement permanent fund to the tobacco settlement program fund equal to the difference between appropriations in Section 4 of the General Appropriation Act of 2022 made from the tobacco settlement program fund and the amount transferred to the tobacco settlement program fund pursuant to Subsection B of Section 6-4-9 NMSA 1978 in fiscal year 2023 to fully fund appropriations made from the tobacco settlement program fund contained in Section 4 of the General Appropriation Act of 2022.

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.