

12/9/10

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

BILL

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

DISCUSSION DRAFT

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO EXECUTIVE ORGANIZATION; CREATING THE BUDGET AND
FINANCE DIVISION IN THE PUBLIC EDUCATION DEPARTMENT.

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

SECTION 1. Section 9-24-4 NMSA 1978 (being Laws 2004,
Chapter 27, Section 4, as amended) is amended to read:

"9-24-4. DEPARTMENT CREATED.--

A. The "public education department" is created in
the executive branch. The department is a cabinet department
and includes the following divisions:

- (1) the administrative services division;
- (2) the assessment and accountability

division;

(3) the budget and finance division;

~~(3)~~ (4) the charter schools division;

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

- 1 [~~4~~] (5) the educator quality division;
- 2 [~~5~~] (6) the Indian education division;
- 3 [~~6~~] (7) the information technology division;
- 4 [~~7~~] (8) the instructional support and
- 5 vocational education division;
- 6 [~~8~~] (9) the program support and student
- 7 transportation division;
- 8 [~~9~~] (10) the quality assurance and systems
- 9 integration division;
- 10 [~~10~~] (11) the rural education division; and
- 11 [~~11~~] (12) the vocational rehabilitation
- 12 division.

13 B. The secretary may organize the department and

14 divisions of the department and may transfer or merge functions

15 between divisions and bureaus in the interest of efficiency and

16 economy."

State Law outlining process for creation of program based budgets.

NMSA 1978

CHAPTER 6 : Public Finances

ARTICLE 3A: Accountability in Government

6-3A-3. Definitions. (2004)

As used in the Accountability in Government Act:

- A. "agency" means a branch, department, institution, board, bureau, commission, district or committee of the state;
- B. "approved program" means a program included in an approved list of programs issued by the division pursuant to Section 6-3A-4 NMSA 1978;
- D. "committee" means the legislative finance committee;
- E. "division" means the state budget division of the department of finance and administration;
- H. "performance-based program budget" means a budget that identifies a total allowed expenditure for a program and includes performance measures, performance standards and program evaluations;
- K. "program" means a set of activities undertaken in accordance with a plan of action organized to realize identifiable goals and objectives based on legislative authorization.

6-3A-4. Program identification.

- A. Prior to July 15 of each year, each agency shall submit to the division and the committee proposed changes to its current program structure. The division, in consultation with the committee and the agency, shall review the requested changes, make any necessary revisions and issue approval or disapproval within thirty days of receipt. The division shall send a copy of its approval or disapproval to the committee.
- B. The program list submitted by the agency shall be accompanied by:
 - (1) the constitutional or statutory direction and authority for each program;
 - (2) identification of the users of each program;
 - (3) the purpose of each program or the benefit derived by the users of the program; and
 - (4) other financial information as required by the division in consultation with the committee.

