

1 HOUSE BILL 290

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

3 INTRODUCED BY

4 Jim R. Trujillo and Roberto "Bobby" J. Gonzales

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10 AN ACT

11 RELATING TO HUMAN SERVICES; ESTABLISHING THE AREA AGENCIES ON  
12 AGING GAP FUND IN THE STATE TREASURY; PROVIDING FOR AGING AND  
13 LONG-TERM SERVICES DEPARTMENT ADMINISTRATION OF THE AREA  
14 AGENCIES ON AGING GAP FUND; MAKING AN APPROPRIATION.

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

17 SECTION 1. Section 9-23-1 NMSA 1978 (being Laws 2004,  
18 Chapter 23, Section 1) is amended to read:

19 "9-23-1. SHORT TITLE.--~~[Sections 1 through 11 of this~~  
20 ~~act]~~ Chapter 9, Article 23 NMSA 1978 may be cited as the "Aging  
21 and Long-Term Services Department Act"."

22 SECTION 2. A new section of the Aging and Long-Term  
23 Services Department Act is enacted to read:

24 "[NEW MATERIAL] AREA AGENCIES ON AGING GAP FUND  
25 ESTABLISHED--ADMINISTRATION--DISTRIBUTIONS.--

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1           A. The "area agencies on aging gap fund" is created  
2 in the state treasury. The fund shall be used to provide  
3 temporary emergency funding to individual area agencies on  
4 aging statewide to cover gaps in agency funding that occur  
5 between area agencies' on aging regular funding allocations.

6           B. The area agencies on aging gap fund shall  
7 consist of appropriations and transfers made to the fund and  
8 payments to the fund that area agencies on aging make to the  
9 fund to reimburse previous temporary emergency appropriations  
10 that the agencies have received from the area agencies on aging  
11 gap fund.

12           C. The department shall administer the area  
13 agencies on aging gap fund. All money credited to the area  
14 agencies on aging gap fund shall be appropriated to the  
15 department for the purpose of providing temporary emergency  
16 funding to individual area agencies on aging to cover gaps in  
17 agency funding that occur between these area agencies' on aging  
18 regular funding allocations. Money in the area agencies on  
19 aging gap fund shall not revert to the general fund.

20           D. Disbursements from the area agencies on aging  
21 gap fund shall be made upon warrants drawn by the secretary of  
22 finance and administration pursuant to vouchers signed by the  
23 secretary of aging and long-term services or the secretary's  
24 designee."

25           **SECTION 3. APPROPRIATION.--**Five hundred thousand dollars

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1 (\$500,000) is appropriated from the general fund to the area  
2 agencies on aging gap fund for expenditure in fiscal year 2019  
3 and subsequent fiscal years to provide temporary emergency  
4 funding to individual area agencies on aging statewide to cover  
5 gaps in agency funding that occur between area agencies' on  
6 aging regular funding allocations. Any unexpended or  
7 unencumbered balance remaining at the end of a fiscal year  
8 shall not revert to the general fund.

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