

**SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 15**

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 1999

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 1999".

Section 2. **DEFINITIONS.**--As used in the General Appropriation Act of 1999:

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

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

C. "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 Lands Leasing Act and except those payments made in accordance with the federal temporary assistance for needy families block grant and the federal Workforce Investment Act;

D. "full-time equivalent" or "FTE" means one or more authorized positions that together receive compensation for not more than two thousand ninety-six hours worked in fiscal year 2000. The calculation of hours worked includes compensated absences but does not include overtime, compensatory time or sick leave paid pursuant to Section 10-7-10 NMSA 1978;

E. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes federal Mineral Lands Leasing Act receipts and those payments made in accordance with the federal block grant and the federal Workforce Investment Act, but excludes the general fund operating reserve, the appropriation contingency fund and the risk reserve;

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) unencumbered balances in agency internal service fund accounts appropriated by the General Appropriation Act of 1999;

H. "other state funds" means:

(1) unencumbered, nonreverting balances in agency accounts, other than in internal service funds accounts, appropriated by the General Appropriation Act of 1999;

(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. "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

J. "unforeseen federal funds" means a source of federal funds or an increased amount of federal funds that could not have been reasonably anticipated or known during the first session of the forty-fourth legislature and, therefore, could not have been requested by an agency or appropriated by the legislature.

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" 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 4 of the General Appropriation Act of 1999, or so much as may be necessary, are appropriated from the indicated source for expenditure in fiscal year 2000 for the objects expressed.

D. Unencumbered balances in agency accounts remaining at the end of fiscal year 1999 shall revert to the general fund by October 1, 1999, unless otherwise indicated in the General Appropriation Act of 1999 or otherwise provided by law.

E. Unencumbered balances in agency accounts remaining at the end of fiscal year 2000 shall revert to the general fund by October 1, 2000, unless otherwise indicated in the General Appropriation Act of 1999 or otherwise provided by law.

F. The state budget division 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 1999, appropriations are made in that act for the expenditures of agencies and for other purposes as required by existing law for fiscal year 2000. If any other act of the first session of the forty-fourth 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 1999 shall be transferred from the agency, fund or distribution to which an appropriation has been made as required by existing law to the appropriate agency, fund or distribution provided by the new law.

H. In August, October, December and May of fiscal year 2000, the department of finance and administration, in consultation with the staff of the legislative finance committee and other agencies, shall prepare and present revenue estimates to the legislative finance committee. If these revenue estimates indicate that revenues and transfers to the general fund, excluding transfers to the general fund operating reserve, the risk reserve, the appropriation contingency fund or the state-support reserve fund, as of the end of fiscal year 2000, are not expected to meet appropriations from the general fund, then 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 unforeseen federal funds, from state board of finance loans, from revenue appropriated by other acts of

the legislature, or from gifts, donations, bequests, insurance settlements, refunds, or payments into revolving funds exceed specifically appropriated amounts may request budget increases from the state budget division. If approved by the state budget division, such money is appropriated. In approving a budget increase from unforeseen federal funds, the director of the state budget division shall advise the legislative finance committee as to the source of the federal funds and the source and amount of any matching funds required.

J. For fiscal year 2000, the number of permanent and term full-time equivalent positions specified for each agency shows the maximum number of employees intended by the legislature for that agency, unless another provision of the General Appropriation Act of 1999 or another act of the first session of the forty-fourth legislature provides for additional employees.

K. Except for gasoline credit cards used solely for operation of official vehicles and telephone credit cards used solely for official business, none of the appropriations contained in the General Appropriation Act of 1999 may be expended for payment of credit card invoices.

L. To prevent unnecessary spending, expenditures from the General Appropriation Act of 1999 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.

M. When approving operating budgets based on appropriations in the General Appropriation Act of 1999, 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.

N. Laws 1998, Chapter 116, Section 4 is repealed effective July 1, 1999.

Section 4. **FISCAL YEAR 2000 APPROPRIATIONS.--**

A. LEGISLATIVE

LEGISLATIVE COUNCIL SERVICE:

(1) Legislative maintenance department:

(a) Personal services 1,130.0 1,130.0

(b) Employee benefits 377.6 377.6

(c) Travel 3.0 3.0

(d) Maintenance and repairs 168.1 168.1

(e) Supplies and materials 20.0 20.0

(f) Contractual services 59.2 59.2

(g) Operating costs 592.9 592.9

(h) Capital outlay 19.7 19.7

(i) Out-of-state travel 2.0 2.0

(j) Other financing uses .7 .7

Authorized FTE: 35.00 Permanent; 4.00 Temporary

(2) Energy council dues: 35.0 35.0

(3) Legislative retirement: 348.0 348.0

(4) Pre-session meetings: 50.0 50.0

Subtotal [2,806.2] 2,806.2

TOTAL 2,806.2 2,806.2

B. JUDICIAL

SUPREME COURT LAW LIBRARY:

(a) Personal services 338.7 338.7

(b) Employee benefits 104.2 104.2

(c) Travel 1.7 1.7

(d) Maintenance and repairs 25.0 25.0

(e) Supplies and materials 8.3 8.3

(f) Contractual services 117.4 117.4

(g) Operating costs 289.9 289.9

(h) Capital outlay 179.2 179.2

(i) Out-of-state travel 1.6 1.6

Authorized FTE: 8.00 Permanent

Subtotal [1,066.0] 1,066.0

NEW MEXICO COMPILATION COMMISSION:

- (a) Personal services 109.1 109.1
- (b) Employee benefits 37.2 37.2
- (c) Travel 13.2 13.2
- (d) Maintenance and repairs 15.0 15.0
- (e) Supplies and materials 18.0 18.0
- (f) Contractual services 800.0 800.0
- (g) Operating costs 103.5 103.5
- (h) Capital outlay 20.0 20.0

Authorized FTE: 3.00 Permanent

Subtotal [1,116.0] 1,116.0

JUDICIAL STANDARDS COMMISSION:

- (a) Personal services 146.6 146.6
- (b) Employee benefits 46.2 46.2
- (c) Travel 21.3 21.3
- (d) Maintenance and repairs 1.3 1.3
- (e) Supplies and materials 3.7 3.7
- (f) Contractual services 14.3 14.3
- (g) Operating costs 40.0 40.0
- (h) Other costs .3 .3
- (i) Other financing uses .1 .1

Authorized FTE: 3.00 Permanent

Subtotal [273.8] 273.8

COURT OF APPEALS:

- (a) Personal services 2,521.5 2,521.5
- (b) Employee benefits 738.1 738.1
- (c) Travel 12.6 12.6

(d) Maintenance and repairs 25.5 25.5

(e) Supplies and materials 36.9 36.9

(f) Contractual services 25.8 25.8

(g) Operating costs 241.6 241.6

(h) Capital outlay 20.0 20.0

(i) Out-of-state travel 5.7 5.7

(j) Other financing uses 1.0 1.0

Authorized FTE: 55.50 Permanent

Subtotal [3,628.7] 3,628.7

SUPREME COURT:

(a) Personal services 1,248.2 1,248.2

(b) Employee benefits 380.1 380.1

(c) Travel 5.6 5.6

(d) Maintenance and repairs 17.4 17.4

(e) Supplies and materials 11.6 11.6

(f) Contractual services 96.4 96.4

(g) Operating costs 83.3 83.3

(h) Capital outlay 18.0 18.0

(i) Out-of-state travel 10.8 10.8

(j) Other financing uses .4 .4

Authorized FTE: 28.00 Permanent

Subtotal [1,871.8] 1,871.8

ADMINISTRATIVE OFFICE OF THE COURTS:

(1) Administration:

(a) Personal services 1,025.9 1,025.9

(b) Employee benefits 348.6 348.6

- (c) Travel 26.0 26.0
- (d) Maintenance and repairs 8.0 8.0
- (e) Supplies and materials 20.0 20.0
- (f) Contractual services 86.6 86.6
- (g) Operating costs 134.4 134.4
- (h) Capital outlay 5.0 5.0
- (i) Out-of-state travel 6.3 6.3
- (j) Other financing uses .5 .5

Authorized FTE: 26.00 Permanent

(2) Magistrate courts:

- (a) Personal services 7,266.0 7,266.0
- (b) Employee benefits 2,275.0 2,275.0
- (c) Travel 46.0 46.0
- (d) Maintenance and repairs 15.0 15.0
- (e) Supplies and materials 195.5 195.5
- (f) Contractual services 122.5 122.5
- (g) Operating costs 1,211.3 1,546.0 2,757.3
- (h) Capital outlay 64.9 64.9
- (i) Other financing uses 4.5 4.5

Authorized FTE: 231.50 Permanent

(3) Judicial information division:

- (a) Personal services 989.3 989.3
- (b) Employee benefits 313.3 313.3
- (c) Other financing uses .4 .4

Authorized FTE: 21.00 Permanent

(4) Supreme court automation fund:

- (a) Personal services 456.8 456.8
- (b) Employee benefits 157.1 157.1
- (c) Travel 95.6 95.6
- (d) Maintenance and repairs 594.6 594.6
- (e) Supplies and materials 104.3 104.3
- (f) Contractual services 162.4 162.4
- (g) Operating costs 844.5 844.5
- (h) Capital outlay 588.7 588.7
- (i) Out-of-state travel 42.0 42.0
- (j) Other financing uses .3 .3

Authorized FTE: 12.50 Permanent

- (5) Judges pro tempore: 40.0 40.0

Unexpended or unencumbered balances in the judges pro tempore appropriation remaining at the end of fiscal year 2000 shall not revert.

- (6) Jury and witness fee fund:

- (a) Operating costs 946.0 946.0
- (b) Other costs 2,029.0 600.0 2,629.0
- (7) Court-appointed attorney fees fund: 2,049.9 2,049.9

- (8) Municipal court automation fund:

- (a) Personal services 48.2 48.2
- (b) Employee benefits 15.0 15.0
- (c) Travel 13.5 13.5
- (d) Supplies and materials 4.0 4.0
- (e) Operating costs 6.8 6.8
- (f) Other costs 770.0 770.0
- (g) Out-of-state travel 8.0 8.0

Authorized FTE: 1.00 Term

(9) Magistrate court warrant enforcement fund:

(a) Personal services 576.9 576.9

(b) Employee benefits 198.8 198.8

(c) Travel 5.0 5.0

(d) Maintenance and repairs .3 .3

(e) Supplies and materials 45.0 45.0

(f) Contractual services 50.0 50.0

(g) Operating costs 37.0 37.0

(h) Capital outlay 5.0 5.0

(i) Other financing uses .6 .6

Authorized FTE: 27.00 Term

(10) Court appointed special advocate: 767.3 767.3

(11) Water rights litigation: 212.8 212.8

Subtotal [20,170.0] [6,416.4] [600.0] 27,186.4

SUPREME COURT BUILDING COMMISSION:

(a) Personal services 242.1 242.1

(b) Employee benefits 104.6 104.6

(c) Travel 1.3 1.3

(d) Maintenance and repairs 56.0 56.0

(e) Supplies and materials 2.3 2.3

(f) Contractual services 60.5 60.5

(g) Operating costs 93.5 93.5

(h) Capital outlay 3.0 3.0

(i) Other financing uses .2 .2

Authorized FTE: 12.00 Permanent

Subtotal [563.5] 563.5

DISTRICT COURTS:

(1) First judicial district:

- (a) Personal services 2,216.8 35.6 122.0 2,374.4
- (b) Employee benefits 669.4 10.0 33.7 713.1
- (c) Travel 14.7 1.0 1.0 16.7
- (d) Maintenance and repairs 14.2 1.0 1.0 16.2
- (e) Supplies and materials 30.4 9.0 19.5 58.9
- (f) Contractual services 123.6 45.5 25.5 194.6
- (g) Operating costs 160.4 9.0 14.6 184.0
- (h) Capital outlay 79.7 79.7

(i) Out-of-state travel 3.7 .5 4.2

Authorized FTE: 60.50 Permanent; 2.00 Term

(2) Second judicial district:

- (a) Personal services 8,760.3 280.3 300.2 9,340.8
- (b) Employee benefits 2,689.9 91.9 89.2 2,871.0
- (c) Travel 22.4 1.0 1.4 24.8
- (d) Maintenance and repairs 100.9 6.3 .5 107.7
- (e) Supplies and materials 286.2 19.9 7.5 313.6
- (f) Contractual services 369.6 25.7 1.7 397.0
- (g) Operating costs 420.0 66.5 18.2 504.7
- (h) Other costs 102.0 102.0
- (i) Capital outlay 161.1 17.4 20.1 198.6
- (j) Out-of-state travel 15.5 4.8 2.2 22.5
- (k) Other financing uses 4.7 4.7

Authorized FTE: 262.50 Permanent; 15.00 Term

(3) Third judicial district:

(a) Personal services 1,558.4 23.9 85.4 1,667.7

(b) Employee benefits 484.3 7.7 28.4 520.4

(c) Travel 16.5 2.0 1.0 19.5

(d) Maintenance and repairs 10.3 .8 1.0 12.1

(e) Supplies and materials 26.5 4.0 4.1 34.6

(f) Contractual services 392.7 38.1 7.7 438.5

(g) Operating costs 69.8 11.9 8.3 90.0

(h) Capital outlay 27.2 7.9 .5 35.6

(i) Out-of-state travel .9 4.0 1.1 6.0

Authorized FTE: 41.00 Permanent; 4.00 Term

(4) Fourth judicial district:

(a) Personal services 602.4 602.4

(b) Employee benefits 193.4 193.4

(c) Travel 4.1 4.1

(d) Maintenance and repairs 8.6 8.6

(e) Supplies and materials 10.2 10.2

(f) Contractual services 2.8 2.8

(g) Operating costs 29.6 29.6

(h) Capital outlay 24.1 24.1

(i) Other financing uses 27.8 27.8

Authorized FTE: 18.00 Permanent

(5) Fifth judicial district:

(a) Personal services 2,082.6 2,082.6

(b) Employee benefits 671.6 671.6

(c) Travel 30.6 30.6

- (d) Maintenance and repairs 27.8 27.8
- (e) Supplies and materials 49.6 1.5 51.1
- (f) Contractual services 204.4 57.0 261.4
- (g) Operating costs 189.6 1.5 191.1
- (h) Capital outlay 95.6 95.6
- (i) Out-of-state travel 2.7 2.7
- (j) Other financing uses 1.2 1.2

Authorized FTE: 61.00 Permanent

(6) Sixth judicial district:

- (a) Personal services 591.4 591.4
- (b) Employee benefits 199.1 199.1
- (c) Travel 18.3 18.3
- (d) Maintenance and repairs 7.0 7.0
- (e) Supplies and materials 11.9 11.9
- (f) Contractual services 214.6 214.6
- (g) Operating costs 71.1 71.1
- (h) Capital outlay 53.3 53.3
- (i) Out-of-state travel 4.0 4.0
- (j) Other financing uses .3 .3

Authorized FTE: 17.00 Permanent

(7) Seventh judicial district:

- (a) Personal services 742.2 742.2
- (b) Employee benefits 244.6 244.6
- (c) Travel 11.3 11.3
- (d) Maintenance and repairs 8.0 8.0
- (e) Supplies and materials 21.7 21.7

(f) Contractual services 61.2 61.2

(g) Operating costs 71.5 71.5

(h) Capital outlay 28.9 28.9

(i) Out-of-state travel 3.0 3.0

(j) Other financing uses .4 .4

Authorized FTE: 21.50 Permanent

(8) Eighth judicial district:

(a) Personal services 724.4 724.4

(b) Employee benefits 243.4 243.4

(c) Travel 13.7 13.7

(d) Maintenance and repairs 5.4 5.4

(e) Supplies and materials 14.0 14.0

(f) Contractual services 132.5 25.0 157.5

(g) Operating costs 62.3 62.3

(h) Capital outlay 28.0 28.0

(i) Other financing uses .4 .4

Authorized FTE: 19.00 Permanent

(9) Ninth judicial district:

(a) Personal services 844.8 84.5 929.3

(b) Employee benefits 286.6 28.9 315.5

(c) Travel 10.3 5.0 15.3

(d) Maintenance and repairs 14.9 1.5 16.4

(e) Supplies and materials 22.3 1.5 2.5 26.3

(f) Contractual services 120.9 23.5 42.5 186.9

(g) Operating costs 47.6 8.6 56.2

(h) Other costs .5 .5

(i) Capital outlay 87.0 87.0

(j) Other financing uses .6 .6

Authorized FTE: 23.00 Permanent; 2.00 Term

(10) Tenth judicial district:

(a) Personal services 335.7 335.7

(b) Employee benefits 116.5 116.5

(c) Travel 4.6 4.6

(d) Maintenance and repairs 6.8 6.8

(e) Supplies and materials 11.7 11.7

(f) Contractual services 5.6 5.6

(g) Operating costs 27.6 27.6

(h) Capital outlay 11.4 11.4

(i) Other financing uses 13.7 13.7

Authorized FTE: 9.14 Permanent

(11) Eleventh judicial district:

(a) Personal services 1,434.6 1,434.6

(b) Employee benefits 448.6 448.6

(c) Travel 16.5 .3 16.8

(d) Maintenance and repairs 15.6 .5 16.1

(e) Supplies and materials 59.1 .5 .3 59.9

(f) Contractual services 287.0 39.0 18.8 344.8

(g) Operating costs 146.8 1.4 148.2

(h) Capital outlay 54.0 54.0

(i) Out-of-state travel 10.3 10.3

(j) Other financing uses .7 .7

Authorized FTE: 41.00 Permanent; .50 Term

(12) Twelfth judicial district:

- (a) Personal services 920.3 23.6 943.9
- (b) Employee benefits 305.6 9.5 315.1
- (c) Travel 9.5 .6 10.1
- (d) Maintenance and repairs 8.8 8.8
- (e) Supplies and materials 13.7 2.0 15.7
- (f) Contractual services 32.8 26.5 59.3
- (g) Operating costs 88.6 1.0 .1 89.7
- (h) Capital outlay 22.0 22.0
- (i) Other financing uses .5 .5

Authorized FTE: 25.50 Permanent; 1.00 Term

(13) Thirteenth judicial district:

- (a) Personal services 1,357.6 1,357.6
- (b) Employee benefits 458.0 458.0
- (c) Travel 29.9 29.9
- (d) Maintenance and repairs 14.5 14.5
- (e) Supplies and materials 52.3 4.0 56.3
- (f) Contractual services 33.2 41.0 74.2
- (g) Operating costs 118.9 118.9
- (h) Capital outlay 80.0 80.0
- (i) Out-of-state travel 15.1 15.1
- (j) Other financing uses .8 .8

Authorized FTE: 41.00 Permanent

Subtotal [34,683.1] [951.1] [1,003.6][19.4] 36,657.2

BERNALILLO COUNTY METROPOLITAN COURT:

- (a) Personal services 6,832.1 919.6 7,751.7