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HOUSE BILL 5

**44th LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2000**

. . . . . INTRODUCED BY Nick L. Salazar

AN ACT

RELATING TO COURTS; MAKING APPROPRIATIONS.

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

Section 1. SHORT TITLE.--This act may be cited as the "Court Appropriation Act of 2000".

Section 2. DEFINITIONS.--As used in the Court Appropriation Act of 2000:

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;

D. "full-time employee" or "FTE" means one or more authorized positions that

1 together receive compensation for not more than two thousand eighty hours worked in fiscal

2 year 2001. The calculation of hours worked includes compensated absences but does not  
3 include overtime, compensatory time or sick leave paid pursuant to Section 10-7-10 NMSA 1978;

4 E. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes  
5 federal Mineral Lands Leasing Act receipts, but excludes the general fund operating reserve,  
6 the appropriation contingency fund and the risk reserve;

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

9 G. "internal service funds" means:

10 (1) revenue transferred to an agency for the financing of goods or services  
11 to another agency on a cost-reimbursement basis; and

12 (2) unencumbered balances in agency internal service fund accounts  
13 appropriated by the Court Appropriation Act of 2000;

14 H. "other state funds" means:

15 (1) unencumbered, nonreverting balances in state agency accounts, other than  
16 in internal service funds accounts, appropriated by the Court Appropriation Act of 2000;

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

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

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

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

by

1 an agency or appropriated by the legislature.

2 Section 3. FORMAT.--The general format of the appropriations set forth in the Court  
3 Appropriation Act of 2000 with respect to symbols used, column headings and amounts stated  
4 are those used in the General Appropriation Act of 1999.

5 Section 4. GENERAL PROVISIONS.--

6 A. Amounts set out under column headings are expressed in thousands of dollars.

7 B. Amounts set out under column headings are appropriated from the source  
8 indicated by the column heading. All amounts set out under the column heading "Internal  
9 Service Funds/Interagency Transfers" indicate an intergovernmental transfer and do not  
10 represent a portion of total state government appropriations. All information designated as  
11 "Totals" or "Subtotals" are provided for information and are not appropriations.

12 C. Amounts set out in Section 5 of the Court Appropriation Act of 2000, or so much  
13 as may be necessary, are appropriated from the indicated source for expenditure in fiscal  
14 year 2001 for the objects expressed.

15 D. Unencumbered balances in agency accounts remaining at the end of fiscal year  
16 2000 shall revert to the general fund by October 1, 2000, unless otherwise indicated in the  
17 Court Appropriation Act of 2000 or otherwise provided by law.

18 E. Unencumbered balances in agency accounts remaining at the end of fiscal year  
19 2001 shall revert to the general fund by October 1, 2001, unless otherwise indicated in the  
20 Court Appropriation Act of 2000 or otherwise provided by law.

21 F. The state budget division of the department of finance and administration shall  
22 monitor revenue received by agencies from sources other than the general fund and shall  
23 reduce the operating budget of any agency whose revenue from such sources is not meeting  
24 projections. The state budget division shall notify the legislative finance committee of any  
25 operating budget reduced pursuant to this subsection.

1           G. Except as otherwise specifically stated in the Court Appropriation Act of 2000,  
2 appropriations are made in that act for the expenditures of agencies and for other purposes  
3 as required by existing law for fiscal year 2001. If any other act of the second session of  
4 the forty-fourth legislature changes existing law with regard to the name or responsibilities  
5 of an agency or the name or purpose of a fund or distribution, the appropriation made in the  
6 Court Appropriation Act of 2000 shall be transferred from the agency, fund or distribution to  
7 which an appropriation has been made as required by existing law to the appropriate agency,  
8 fund or distribution provided by the new law.

9           H. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, agencies whose revenue  
10 from unforeseen federal funds, from state board of finance loans, from revenue appropriated by  
11 other acts of the legislature, or from gifts, donations, bequests, insurance settlements,  
12 refunds or payments into revolving funds exceed specifically appropriated amounts may request  
13 budget increases from the state budget division. If approved by the state budget division,  
14 such money is appropriated. In approving a budget increase from unforeseen federal funds, the  
15 director of the state budget division shall advise the legislative finance committee as to  
16 the source of the federal funds and the source and amount of any matching funds required.

17           I. For fiscal year 2001, the number of permanent and term full-time-equivalent  
18 positions specified for each agency shows the maximum number of employees intended by the  
19 legislature for that agency, unless another provision of the Court Appropriation Act of 2000  
20 or another act of the second session of the forty-fourth legislature provides for additional  
21 employees.

22           J. Except for gasoline credit cards used solely for the operation of official  
23 vehicles and telephone credit cards used solely for official business, none of the  
24 appropriations contained in the Court Appropriation Act of 2000 may be expended for payment  
25 of credit card invoices.

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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1           K. To prevent unnecessary spending, expenditures from the Court Appropriation Act  
2 of 2000 for gasoline for state-owned vehicles at public gasoline service stations shall be  
3 made only for self-service gasoline; provided that a state agency head may provide exceptions  
4 from the requirement to accommodate disabled persons or for other reasons the public interest  
5 may require.

6           L. When approving operating budgets based on appropriations in the Court  
7 Appropriation Act of 2000, the state budget division is specifically authorized to approve  
8 only those budgets that are in accordance with generally accepted accounting principles for  
9 the purpose of properly classifying other financing sources and uses, including interfund,  
10 intrafund and interagency transfers.

11           M. Laws 1999, (1st S.S.), Chapter 3, Section 4 is repealed effective July 1, 2000.

12           Section 5. FISCAL YEAR 2001 APPROPRIATIONS.--

13 SUPREME COURT LAW LIBRARY:

14           (a) Personal services	332.8				332.8
15           (b) Employee benefits	103.9				103.9
16           (c) Travel	2.9				2.9
17           (d) Maintenance and repairs	22.6				22.6
18           (e) Supplies and materials	9.0				9.0
19           (f) Contractual services	120.0				120.0
20           (g) Operating costs	300.0				300.0
21           (h) Capital outlay	185.0				185.0
22           (i) Out-of-state travel	1.6				1.6
23           (j) Other financing uses	.1				.1
24           Authorized FTE:           8.00 Permanent					
25           Subtotal					1,077.9

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	NEW MEXICO COMPILATION COMMISSION:					
2	(a) Personal services		110.6			110.6
3	(b) Employee benefits		37.2			37.2
4	(c) Travel		3.2	10.0		13.2
5	(d) Maintenance and repairs		14.9			14.9
6	(e) Supplies and materials		13.0	5.0		18.0
7	(f) Contractual services		759.9	40.0		799.9
8	(g) Operating costs		89.9	15.0		104.9
9	(h) Capital outlay		20.0			20.0
10	(i) Other financing uses		.1			.1
11	Authorized FTE:	3.00	Permanent			
12	Subtotal					1,118.8
13	JUDICIAL STANDARDS COMMISSION:					
14	(a) Personal services	150.7				150.7
15	(b) Employee benefits	61.9				61.9
16	(c) Travel	16.3				16.3
17	(d) Maintenance and repairs	1.3				1.3
18	(e) Supplies and materials	2.7				2.7
19	(f) Contractual services	14.6				14.6
20	(g) Operating costs	40.3				40.3
21	(h) Other costs		.5			.5
22	.5					
23	Authorized FTE:	3.00	Permanent			
24	Subtotal					288.3
25	COURT OF APPEALS:					

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	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(a) Personal services	2,630.4				2,630.4
2	(b) Employee benefits	773.5				773.5
3	(c) Travel	14.1				14.1
4	(d) Maintenance and repairs	28.2				28.2
5	(e) Supplies and materials	35.5				35.5
6	(f) Contractual services	20.0				20.0
7	(g) Operating costs	242.6				242.6
8	(h) Capital outlay	7.4				7.4
9	(i) Out-of-state travel	5.7				5.7
10	(j) Other financing uses	1.1				1.1
11	Authorized FTE: 55.50 Permanent					
12	Subtotal					3,758.5
13	SUPREME COURT:					
14	(a) Personal services	1,312.9				1,312.9
15	(b) Employee benefits	384.5				384.5
16	(c) Travel	5.6				5.6
17	(d) Maintenance and repairs	17.7				17.7
18	(e) Supplies and materials	13.6				13.6
19	(f) Contractual services	96.4				96.4
20	(g) Operating costs	77.2				77.2
21	(h) Other costs		.6			
22	.6					
23	(i) Capital outlay	18.0				18.0
24	(j) Out-of-state travel	10.0				10.0
25	(k) Other financing uses	.6				.6

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 ADMINIS <sup>Authorized FTE: 28.00 Permanent</sup> TRATIVE OFFICE OF THE COURTS					
2 (1) Administration:					1,937.1
5 (a) Personal services	1,064.4				1,064.4
6 (b) Employee benefits	385.6				385.6
7 (c) Travel	26.0				26.0
8 (d) Maintenance and repairs	6.5				6.5
9 (e) Supplies and materials	22.0				22.0
10 (f) Contractual services	97.2				97.2
11 (g) Operating costs	137.4				137.4
12 (h) Out-of-state travel	6.3				6.3
13 (i) Other financing uses	.5				.5
14 Authorized FTE: 26.00 Permanent					
15 (2) Magistrate courts:					
16 (a) Personal services	7,712.4				7,712.4
17 (b) Employee benefits	2,375.0				2,375.0
18 (c) Travel	46.0				46.0
19 (d) Maintenance and repairs	15.0				15.0
20 (e) Supplies and materials	175.1				175.1
21 (f) Contractual services	45.0				45.0
22 (g) Operating costs	2,948.2				2,948.2
23 (h) Other financing uses	4.4				4.4
24 Authorized FTE: 233.50 Permanent					
25 (3) Judicial information division:					
26 (a) Personal services	1,017.9				1,017.9
27 (b) Employee benefits	321.0				321.0

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	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	Authorized FTE: 21.00 Permanent					
2	(4) Supreme court automation fund:					
3	(a) Personal services		484.2			484.2
4	(b) Employee benefits		160.2			160.2
5	(c) Travel		96.5			96.5
6	(d) Maintenance and repairs		600.0			600.0
7	(e) Supplies and materials		97.3			97.3
8	(f) Contractual services		209.0			209.0
9	(g) Operating costs		850.0			850.0
10	(h) Capital outlay		534.6			534.6
11	(i) Out-of-state travel		51.0			51.0
12	Authorized FTE: 12.50 Permanent					
13	(5) Judges pro tempore:	40.0				40.0
14	(6) Jury and witness fee fund:					
15	(a) Supplies and materials	13.8		1.2	2.7	
16	17.7					
17	(b) Contractual services	10.0		.9	1.9	
18	12.8					
19	(c) Operating costs	808.0	77.0	165.0		1,050.0
20	(d) Other costs	2,293.2	208.9	430.4		2,932.5
21	(7) Court-appointed attorney fees					
22	fund:	2,300.0				2,300.0
23	(8) Municipal court automation fund:					
24	(a) Personal services		54.9			54.9
25	(b) Employee benefits		15.1			15.1

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	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
3	(e) <del>Operating costs</del>		16.4			16.4
4	(d) <del>Supplies and materials</del>		4.0	743.0		4.0
5	743.0					
6	(g) Out-of-state travel		8.0			8.0
7	Authorized FTE: 1.00 Term					
8	(9) Court appointed special advocate:					
9	(a) Contractual services	114.6				114.6
10	(b) Other financing uses	652.7				652.7
11	(10) Water rights litigation:	212.8				212.8
12	Subtotal					27,670.0
13	SUPREME COURT BUILDING COMMISSION:					
14	(a) Personal services	250.0				250.0
15	(b) Employee benefits	105.0				105.0
16	(c) Travel	1.5				1.5
17	(d) Maintenance and repairs	56.1				56.1
18	(e) Supplies and materials	3.1				3.1
19	(f) Contractual services	59.7				59.7
20	(g) Operating costs	94.2				94.2
21	(h) Capital outlay	9.3				9.3
22	(i) Other financing uses	.3				.3
23	Authorized FTE: 12.00 Permanent					
24	Subtotal					579.2
25	DISTRICT COURTS:					
26	(1) First judicial district:					
27	(a) Personal services	2,370.3	172.0			2,542.3

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
2	(b) <del>Travel</del> Employee benefits	724.8	55.4			780.6
3	(d) Maintenance and repairs	11.4	2.6			14.0
4	(e) Supplies and materials	30.4	28.9			59.3
5	(f) Contractual services	115.5	73.1			188.6
6	(g) Operating costs	166.0	24.7			190.7
7	(h) Capital outlay	48.2				48.2
8	(i) Out-of-state travel	2.0	2.0			4.0
9	(j) Other financing uses	1.4				1.4
10	Authorized FTE: 61.50 Permanent;		4.00 Term			
11	(2) Second judicial district:					
12	(a) Personal services	9,259.8	637.4			9,897.2
13	(b) Employee benefits	2,992.0	206.6			3,198.6
14	(c) Travel	24.2	4.4			28.6
15	(d) Maintenance and repairs	85.9	15.1			101.0
16	(e) Supplies and materials	273.9	31.2			305.1
17	(f) Contractual services	315.6	38.4			354.0
18	(g) Operating costs	425.3	78.1			503.4
19	(h) Other costs		81.0	5.0		
20	86.0					
21	(i) Capital outlay	149.6	31.4			181.0
22	(j) Out-of-state travel	14.3	11.7			26.0
23	(k) Other financing uses	5.3	.4			5.7
24	Authorized FTE: 263.50 Permanent;		15.00 Term			
25	(3) Third judicial district:					
26	(a) Personal services	1,616.5	113.5			1,730.0

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
2	(c) Travel	16.5				20.4
1	(b) Employee benefits	506.9	3.9			542.0
3	(d) Maintenance and repairs	8.5	1.4			9.9
4	(e) Supplies and materials	27.3	6.3			33.6
5	(f) Contractual services	425.2	32.9			458.1
6	(g) Operating costs	66.3	15.6			81.9
7	(h) Capital outlay	27.1	7.0			34.1
8	(i) Out-of-state travel	.9	3.0			3.9
9	Authorized FTE: 42.50 Permanent;		4.00 Term			
10	(4) Fourth judicial district:					
11	(a) Personal services	638.4				638.4
12	(b) Employee benefits	202.5				202.5
13	(c) Travel	4.9				4.9
14	(d) Maintenance and repairs	8.9				8.9
15	(e) Supplies and materials	16.2				16.2
16	(f) Contractual services	2.5				2.5
17	(g) Operating costs	32.0				32.0
18	(h) Capital outlay	26.8				26.8
19	(i) Other financing uses	22.8				22.8
20	Authorized FTE: 18.50 Permanent					
21	(5) Fifth judicial district:					
22	(a) Personal services	2,223.2				2,223.2
23	(b) Employee benefits	722.7				722.7
24	(c) Travel	30.6				30.6
25	(d) Maintenance and repairs	25.4				25.4
26	(e) Supplies and materials	50.8	1.5			52.3

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(f) Contractual services	205.8	57.0			262.8
2	(g) Operating costs	177.2	1.5			178.7
3	(h) Capital outlay	47.0				47.0
4	(i) Out-of-state travel	3.0				3.0
5	(j) Other financing uses	1.2				1.2
6	Authorized FTE: 61.50 Permanent					
7	(6) Sixth judicial district:					
8	(a) Personal services	653.1				653.1
9	(b) Employee benefits	222.0				222.0
10	(c) Travel	18.5				18.5
11	(d) Maintenance and repairs	7.7				7.7
12	(e) Supplies and materials	12.3				12.3
13	(f) Contractual services	203.7				203.7
14	(g) Operating costs	65.5				65.5
15	(h) Capital outlay	35.0				35.0
16	(i) Other financing uses	.4				.4
17	Authorized FTE: 18.00 Permanent					
18	(7) Seventh judicial district:					
19	(a) Personal services	791.0				791.0
20	(b) Employee benefits	295.5				295.5
21	(c) Travel	11.3				11.3
22	(d) Maintenance and repairs	7.2				7.2
23	(e) Supplies and materials	21.7				21.7
24	(f) Contractual services	65.3				65.3
25	(g) Operating costs	61.5				61.5

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(h) Capital outlay	28.9				28.9
2	(i) Other financing uses	.4				.4
3	Authorized FTE: 22.00 Permanent					
4	(8) Eighth judicial district:					
5	(a) Personal services	759.0				759.0
6	(b) Employee benefits	257.0				257.0
7	(c) Travel	13.7				13.7
8	(d) Maintenance and repairs	5.7				5.7
9	(e) Supplies and materials	14.8				14.8
10	(f) Contractual services	132.5	30.0		75.0	237.5
11	(g) Operating costs	68.9				68.9
12	(h) Capital outlay	30.1				30.1
13	(i) Other financing uses	.4				.4
14	Authorized FTE: 19.50 Permanent					
15	(9) Ninth judicial district:					
16	(a) Personal services	874.4		87.9		962.3
17	(b) Employee benefits	297.6		30.6		328.2
18	(c) Travel	10.3		4.5		14.8
19	(d) Maintenance and repairs	14.0		1.2		15.2
20	(e) Supplies and materials	22.9	1.5	.9		25.3
21	(f) Contractual services	120.9	23.5	33.5		177.9
22	(g) Operating costs	47.3		4.9		52.2
23	(h) Other costs		.5			
24	.5					
25	(i) Capital outlay	80.4				80.4

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
2	Authorized FTE: 9.50 Permanent; .5				.5
3	(10) Tenth judicial district:				
4	(a) Personal services	345.4			345.4
5	(b) Employee benefits	122.1			122.1
6	(c) Travel	4.4			4.4
7	(d) Maintenance and repairs	5.1			5.1
8	(e) Supplies and materials	11.7			11.7
9	(f) Contractual services	5.6			5.6
10	(g) Operating costs	22.4			22.4
11	(h) Capital outlay	14.5			14.5
12	(i) Other financing uses	13.7			13.7
13	Authorized FTE: 9.10 Permanent				
14	(11) Eleventh judicial district:				
15	(a) Personal services	1,587.5			1,587.5
16	(b) Employee benefits	466.4	.5		466.9
17	(c) Travel	16.2		.3	16.5
18	(d) Maintenance and repairs	19.0	.5		19.5
19	(e) Supplies and materials	60.5	.5	.3	61.3
20	(f) Contractual services	211.5	41.1	20.9	273.5
21	(g) Operating costs	160.9	1.4		162.3
22	(h) Capital outlay	85.7			85.7
23	(i) Out-of-state travel	10.3			10.3
24	(j) Other financing uses	.7			.7
25	Authorized FTE: 42.00 Permanent; 0.50 Term				
26	(12) Twelfth judicial district:				

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(a) Personal services	976.9	19.9			996.8
2	(b) Employee benefits	307.6	6.4			314.0
3	(c) Travel	9.5	.6			10.1
4	(d) Maintenance and repairs	9.0				9.0
5	(e) Supplies and materials	20.9	2.0			22.9
6	(f) Contractual services	32.6	26.5			59.1
7	(g) Operating costs	94.8	1.1			95.9
8	(h) Capital outlay	31.2				31.2
9	(i) Other financing uses	.5				.5
10	Authorized FTE: 26.50 Permanent;		1.00 Term			
11	(13) Thirteenth judicial district:					
12	(a) Personal services	1,439.1				1,439.1
13	(b) Employee benefits	475.0				475.0
14	(c) Travel	28.3				28.3
15	(d) Maintenance and repairs	15.4				15.4
16	(e) Supplies and materials	53.6	4.0			57.6
17	(f) Contractual services	33.6	51.0			84.6
18	(g) Operating costs	119.9				119.9
19	(h) Capital outlay	84.2				84.2
20	(i) Out-of-state travel	7.0				7.0
21	(j) Other financing uses	.8				.8
22	Authorized FTE: 42.00 Permanent					
23	Subtotal					38,573.9
24	BERNALILLO COUNTY METROPOLITAN COURT:					
25	(a) Personal services	7,071.1	984.7			8,055.8



	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(b) Employee benefits	2,317.5	307.0			2,624.5
2	(c) Travel	9.4	2.1			11.5
3	(d) Maintenance and repairs	371.9				371.9
4	(e) Supplies and materials	321.1	61.0			382.1
5	(f) Contractual services	1,065.5	422.0			1,487.5
6	(g) Operating costs	792.1	86.1			878.2
7	(h) Capital outlay	274.7	44.9			319.6
8	(i) Out-of-state travel	20.4				20.4
9	(j) Other financing uses	4.5				4.5
10	Authorized FTE: 213.00 Permanent;		40.50 Term;	1.50 Temporary		
11	Subtotal					14,156.0
12	Grand Total	79,144.5	9,085.2	833.5	96.5	89,159.7

13 Section 6. SEVERABILITY.--If any part or application of this act is held invalid, the  
14 remainder or its application to other situations or persons shall not be affected.