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HOUSE BILL 448

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

MAX COLL

AN ACT

MAKING APPROPRIATIONS AND AUTHORIZING EXPENDITURES FOR STATE GOVERNMENT.

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

Section 1. APPROPRIATION. -- Three hundred fifteen thousand dollars (\$315,000) is appropriated from the general fund to the legislative council service for expenditure in fiscal year 1999 to establish a bureaucracy and accountability review staff and to pay salaries, employee benefits, travel, supplies and materials, contractual services, operating costs, other costs, capital outlay and out-of-state travel of the staff. Any unexpended or unencumbered balance remaining at the end of fiscal year 1999 shall revert to the general fund.

Section 2. APPROPRIATION. -- Two hundred fifty thousand dollars (\$250,000) is appropriated from the general fund to

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1 the administrative office of the courts for expenditure in
2 fiscal year 1999 to conduct a magistrate capital needs study.
3 Any unexpended or unencumbered balance remaining at the end of
4 fiscal year 1999 shall revert to the general fund.

5 Section 3. APPROPRIATION. -- One hundred thousand dollars
6 (\$100,000) is appropriated from the general fund to the office
7 of the lieutenant governor for expenditure in fiscal year 1999
8 to employ work force development monitors and to pay salaries,
9 employee benefits, travel, supplies and materials, contractual
10 services, operating costs, other costs, capital outlay and
11 out-of-state travel of the staff. Any unexpended or
12 unencumbered balance remaining at the end of fiscal year 1999
13 shall revert to the general fund.

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998
3
4

5 February 17, 1998
6

7 Mr. Speaker:
8

9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to
10 whom has been referred
11

12 HOUSE BILL 448
13

14 has had it under consideration and reports same with
15 recommendation that it DO NOT PASS, but that

16 HOUSE APPROPRIATIONS AND FINANCE COMMITTEE
17 SUBSTITUTE FOR HOUSE BILL 448
18

19 DO PASS.
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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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Respectfully submitted,

Max Coll, Chairman

Adopted _____

(Chief Clerk)

Not Adopted _____

(Chief Clerk)

Date _____

The roll call vote was 18 For 0 Against

Yes: 18

Excused: None

Absent: None

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HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 448

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

AN ACT

MAKING GENERAL APPROPRIATIONS AND AUTHORIZING EXPENDITURES FOR
STATE GOVERNMENT.

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

Section 1. SPECIAL APPROPRIATIONS. --The following amounts are appropriated from the general fund or other funds as indicated for the purposes specified. Unless otherwise indicated, the appropriations may be expended in fiscal years 1998 and 1999. Unless otherwise indicated, unexpended or unencumbered balances of the appropriations remaining at the end of fiscal year 1999 shall revert to the appropriate fund:

A. two hundred fifty-two thousand dollars (\$252,000) is appropriated from cash balances of the legislative council service to the legislative council service for expenditure in fiscal years 1999 and 2000 to upgrade the legislative information system. Any unexpended or unencumbered balance remaining at the end of fiscal year 2000 shall not revert;

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1 B. one hundred sixty-six thousand dollars
2 (\$166,000) is appropriated to the legislative finance
3 committee for three performance auditors for expenditure in
4 fiscal year 1999;

5 C. sixty thousand dollars (\$60,000) is
6 appropriated to the local government division of the
7 department of finance and administration for the village of
8 Tularosa youth program;

9 D. notwithstanding the provisions of the General
10 Appropriation Act of 1998, the appropriation in that act of
11 one hundred thousand dollars (\$100,000) from the irrigation
12 works construction fund to the administration division of the
13 state engineer in the other costs category shall be used to
14 construct, improve, repair and protect ditches, flumes and
15 other works of the community ditch associations from floods
16 only in Rio Arriba county;

17 E. the unexpended or unencumbered balance of the
18 appropriation to the commission on higher education in Laws
19 1997, Chapter 206, Section 2 shall not revert at the end of
20 fiscal year 1998 but may be expended for the purposes of that
21 section in fiscal year 1999; and

22 F. pursuant to the Joint Powers Agreements Act,
23 the department of public safety may enter into a joint powers
24 agreement with the taxation and revenue department to transfer
25 the necessary fiscal year 1999 appropriations and authorized
positions so that the taxation and revenue department may
perform its statutory duties relating to motor transportation.

Section 2. SUPPLEMENTAL AND DEFICIENCY APPROPRIATIONS. --

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1 The following amounts are appropriated from the general fund or
 2 other funds as indicated for expenditure in fiscal year 1998 for
 3 the purposes specified. Disbursement of these amounts shall be
 4 subject to the following conditions: certification by the agency
 5 to the department of finance and administration and the
 6 legislative finance committee that no other funds are available
 7 in fiscal year 1998 for the purpose specified; and approval by
 8 the department of finance and administration and the legislative
 9 finance committee. Any unexpended or unencumbered balances
 10 remaining at the end of fiscal year 1998 shall revert to the
 appropriate fund:

11 A. one hundred ninety-three thousand eight hundred
 12 dollars (\$193,800) is appropriated to the supreme court for
 litigation costs;

13 B. six hundred thousand dollars (\$600,000) is
 14 appropriated to the jury and witness fee fund;

15 C. three hundred thirty-two thousand seven hundred
 16 dollars (\$332,700) is appropriated from the magistrate court
 17 warrant enforcement fund to the administrative office of the
 18 courts for the magistrate court warrant enforcement program;

19 D. twenty-eight thousand dollars (\$28,000) is
 20 appropriated to the supreme court building commission for
 maintenance and repairs;

21 E. thirty-seven thousand five hundred dollars
 22 (\$37,500) is appropriated to the third judicial district court to
 23 repay a board of finance division loan for water rights
 24 litigation;

25 F. five thousand four hundred dollars (\$5,400) is

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1 appropriated to the fifth judicial district court for judge pro
2 tempore services rendered in fiscal year 1997 in the State v.
3 Lewis water adjudication suit;

4 G. forty-five thousand four hundred dollars (\$45,400)
5 is appropriated to the third judicial district attorney for
6 employee liability insurance and bar association dues;

7 H. twenty-three thousand one hundred dollars
8 (\$23,100) is appropriated to the ninth judicial district attorney
9 for litigation costs in the prosecution of a conflict case for
10 the fifth judicial district attorney;

11 I. eight thousand seven hundred dollars (\$8,700) is
12 appropriated to the twelfth judicial district attorney for expert
13 witness fees;

14 J. eighty-eight thousand dollars (\$88,000) is
15 appropriated to the attorney general for the guardianship
16 services program;

17 K. one hundred fifty thousand dollars (\$150,000) from
18 the severance tax permanent fund and two hundred fifty thousand
19 dollars (\$250,000) from the land grant permanent funds are
20 appropriated to the state investment council for bank custody
21 fees;

22 L. one hundred fifty thousand dollars (\$150,000) is
23 appropriated to the general services department for the required
24 match of procurement assistance federal funds in fiscal years
25 1996, 1997 and 1998;

M thirty thousand dollars (\$30,000) is appropriated
to the state treasurer for personal services and employee
benefits;

1 N. one hundred thousand dollars (\$100,000) is
2 appropriated to the state corporation commission for costs
3 associated with telecommunications rulemaking and rate setting;

4 O. two million one hundred thousand dollars
5 (\$2,100,000) is appropriated to the human services department for
6 the general assistance program;

7 P. forty-nine thousand two hundred dollars (\$49,200)
8 is appropriated to the department of military affairs for
9 employee liability insurance;

10 Q. three million seven hundred thousand dollars
11 (\$3,700,000) is appropriated to the corrections department for
12 costs associated with leasing bed space for women inmates under
13 existing contracts; and

14 R. one hundred thirty-one thousand nine hundred
15 dollars (\$131,900) is appropriated to the New Mexico military
16 institute for the Saunders barracks phase two construction
17 project.

18 Section 3. COMPUTER SYSTEMS ENHANCEMENT FUND

19 APPROPRIATIONS. --Eleven million three hundred seventy-seven
20 thousand dollars (\$11,377,000) is appropriated from the general
21 fund to the computer systems enhancement fund for allocations
22 pursuant to the appropriations in Section 4 of this act.

23 Section 4. DATA PROCESSING APPROPRIATIONS. --The following
24 amounts are appropriated from the computer systems enhancement
25 fund or other funds as indicated for the purposes specified.
Unless otherwise indicated, the appropriations may be expended in
fiscal years 1998 and 1999. Unless otherwise indicated, any
unexpended or unencumbered balances remaining at the end of

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1 fiscal year 1999 shall revert to the computer systems enhancement
2 fund or other funds as indicated. The department of finance and
3 administration shall allocate amounts from the funds for the
4 purposes specified upon receiving certification and supporting
5 documentation from the requesting agency that identifies benefits
6 that can be quantified and nonrecurring costs and recurring costs
7 for the development and implementation of the proposed system
8 and, for executive agencies, upon receiving certification from
9 the chief information officer that identifies compliance with the
10 information architecture and individual information and
11 communications systems plans. If the funds are to continue a
12 project, the documentation shall include certification that the
13 project is on schedule, all funds previously allocated have been
14 properly expended and additional funds are required. The
15 department of finance and administration shall provide a copy of
the certification and all supporting documentation to the
legislative finance committee:

16 A. three hundred thousand dollars (\$300,000) is
17 appropriated to the administrative office of the district
18 attorneys for computer and network equipment and software;

19 B. two hundred thousand dollars (\$200,000) is
20 appropriated to the taxation and revenue department for personal
21 computers;

22 C. four hundred thousand dollars (\$400,000) is
23 appropriated to the department of finance and administration for
24 completion of the agency information management system core
modules and user agency training;

25 D. one hundred twenty-five thousand dollars

1 (\$125,000) is appropriated to the department of finance and
 2 administration for the procurement reengineering project module
 3 for the agency information management system;

4 E. four hundred thousand dollars (\$400,000) is
 5 appropriated from information systems division fees to the
 6 general services department for mainframe software debugging
 7 tools, contingent upon state agencies funding these tools;

8 F. three hundred seventy thousand dollars (\$370,000)
 9 is appropriated from the educational retirement fund to the
 10 educational retirement board for a year-2000 compliant server,
 11 software, hardware, data conversion and training;

12 G. four hundred forty-five thousand dollars
 13 (\$445,000) is appropriated from cash balances to the public
 14 defender for computer equipment, software purchase and web page
 15 development;

16 H. two hundred fifty thousand dollars (\$250,000) is
 17 appropriated from the public employees retirement income fund to
 18 the public employees retirement association for an investment
 19 accounting system;

20 I. fifty thousand dollars (\$50,000) is appropriated
 21 to the state commission of public records for a server upgrade;

22 J. two hundred thousand dollars (\$200,000) is
 23 appropriated to the secretary of state for the voter registration
 24 requirements definition;

25 K. six hundred thousand dollars (\$600,000) is
 appropriated from cash balances in the regulation and licensing
 department to the regulation and licensing department for a year-
 2000 compliant boards and commission system;

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1 L. one hundred seventy-five thousand dollars
2 (\$175,000) is appropriated to the office of cultural affairs for
3 the New Mexico cultural resource information system;

4 M. one hundred twenty-five thousand dollars
5 (\$125,000) is appropriated to the office of cultural affairs for
6 a file server at the state library;

7 N. fourteen thousand dollars (\$14,000) is
8 appropriated from other revenue in the New Mexico livestock board
9 to the New Mexico livestock board for one server, two
10 workstations and database management software;

11 O. five hundred thousand dollars (\$500,000) is
12 appropriated from the game protection fund to the department of
13 game and fish for a client server and computer equipment for
14 processing wildlife gaming license and citation information;

15 P. seventy-five thousand dollars (\$75,000) is
16 appropriated to the energy, minerals and natural resources
17 department for upgrading to a year-2000 compliant financial
18 system;

19 Q. six hundred twenty-five thousand dollars
20 (\$625,000) is appropriated to the state engineer for the water
21 administration technical engineering resource system geographic
22 information system component;

23 R. seven hundred forty-six thousand dollars
24 (\$746,000) is appropriated to the state engineer for the water
25 administration technical engineering resource system;

 S. one hundred thousand dollars (\$100,000) is
appropriated to the state engineer for geographic information
systems;

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1 T. seventy thousand dollars (\$70,000) is appropriated
 2 to the New Mexico public utility commission for year-2000
 3 compliant hardware and software;

4 U. forty thousand dollars (\$40,000) is appropriated
 5 to the New Mexico public utility commission for personal
 6 computers in support of imaging requirements and the merger of
 7 the New Mexico public utility commission and the state
 8 corporation commission;

9 V. three million dollars (\$3,000,000) is appropriated
 10 to the human services department for the child support
 11 enforcement system;

12 W. five hundred forty-six thousand dollars (\$546,000)
 13 is appropriated from the employment security department fund and
 14 two million dollars (\$2,000,000) is appropriated from federal
 15 revenue to the labor department for contractual services to
 16 ensure mission critical systems are year-2000 compliant;

17 X. four hundred thousand dollars (\$400,000) is
 18 appropriated to the department of health for an integrated public
 19 health information system;

20 Y. one hundred thirty thousand dollars (\$130,000) is
 21 appropriated to the New Mexico health policy commission for
 22 developing data standards and design requirements;

23 Z. eight hundred sixteen thousand dollars (\$816,000)
 24 is appropriated from the computer systems enhancement fund and
 25 eight hundred sixteen thousand dollars (\$816,000) is appropriated
 from cash balances in the children, youth and families department
 to the children, youth and families department for incorporation
 of the juvenile justice functionality into the family automated

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1 client tracking system;

2 AA. two million five hundred thousand dollars
3 (\$2,500,000) is appropriated to the corrections department for
4 procurement of a year-2000 compliant criminal information
5 management system, financial management system modules, network
6 hardware and software and related information systems costs and
7 contractual services;

8 BB. nine hundred thousand dollars (\$900,000) is
9 appropriated to the department of public safety for computer-
10 aided dispatch capability; and

11 CC. four hundred thousand dollars (\$400,000) is
12 appropriated to the state department of public education for a
13 year-2000 compliant comprehensive accountability system.

14 Section 5. ADDITIONAL FISCAL YEAR 1998 BUDGET ADJUSTMENT
15 AUTHORITY. -- During fiscal year 1998, subject to review and
16 approval by the department of finance and administration and the
17 legislative finance committee, in addition to the budget
18 adjustment authority granted in Laws 1997, Chapter 33, Section 10
19 and pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978:

20 A. the seventh judicial district attorney may request
21 that seven thousand seven hundred dollars (\$7,700) be transferred
22 from the personal services category to the operating costs
23 category for expert witness fees;

24 B. the eighth judicial district attorney may request
25 that twenty-eight thousand two hundred dollars (\$28,200) be
transferred from the personal services category to any other
category to cover projected shortfalls;

C. the local government division of the department of

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1 finance and administration may request that forty thousand seven
 2 hundred dollars (\$40,700) be transferred from the personal
 3 services category to the personal services category in the
 4 administrative services division of the department of finance and
 5 administration;

6 D. the public defender department may request
 7 transfers from the personal services category to the contractual
 8 services category for contract attorney fees or to the operating
 9 costs category for expert witness fees;

10 E. the New Mexico state fair may request transfers
 11 from the personal services category to the other costs category
 12 for retirement of debt;

13 F. the New Mexico veterans center of the department
 14 of health may request transfers from the personal services
 15 category to the contractual services category;

16 G. the southern New Mexico rehabilitation center of
 17 the department of health may request transfers from the personal
 18 services category to the contractual services category;

19 H. the Fort Bayard medical center of the department
 20 of health may request transfers from the personal services
 21 category to the contractual services category;

22 I. the public health division of the department of
 23 health may request transfers from the personal services category
 24 to the supplies and materials category or the other costs
 25 category to purchase HIV-AIDS medication;

J. the long-term care and restorative services
 division of the department of health may request transfers from
 the personal services category to the contractual services

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1 category in the medical fragile waiver to reduce the number of
2 individuals on the waiting list;

3 K. the department of health may request that three
4 hundred eighty thousand dollars (\$380,000) be transferred from
5 the personal services category to other categories in the long-
6 term care and restorative services division to settle payment for
7 additional costs of treating outlier clients; seven hundred fifty
8 thousand dollars (\$750,000) be transferred from the personal
9 services category to other categories in the long-term care and
10 restorative services division to resolve outstanding accounts
11 receivable problems; and two hundred fifty thousand dollars
12 (\$250,000) be transferred from the personal services category to
13 other categories in the long-term care and restorative services
14 division to cover "Jackson" case legal fees;

15 L. the adult probation and parole division of the
16 corrections department may request that three hundred sixteen
17 thousand dollars (\$316,000) be transferred from the personal
18 services category to other categories for additional costs
19 associated with housing parole violators in county detention
20 centers;

21 M the adult institutions division of the corrections
22 department may request that one hundred fifty thousand dollars
23 (\$150,000) be transferred from the personal services category to
24 other categories to cover projected deficits in the institutions;
25 and

26 N. the corrections department may request transfers
27 from the personal services category to the contractual services
28 category for the operations of the New Mexico women's

1 correctional facility. The corrections department is
2 specifically authorized to exceed the limit for payments to that
3 facility provided in the General Appropriation Act of 1997.

4 Section 6. BUDGET ADJUSTMENT REQUESTS AUTHORIZED. --

5 A. As used in this section:

6 (1) "budget category" means an item or an
7 aggregation of related items that represents the object of an
8 appropriation. Budget categories include personal services,
9 employee benefits, travel, maintenance and repairs, supplies and
10 materials, contractual services, operating costs, other costs,
11 capital outlay, out-of-state travel and other financing uses;

12 (2) "budget increase" means an approved
13 increase in expenditures by an agency or division from a specific
14 source;

15 (3) "category transfer" means an approved
16 transfer of funds from one budget category to another budget
17 category, provided that a category transfer does not include a
18 transfer of funds between divisions;

19 (4) "division" means an organizational unit
20 within an agency that is the recipient of an appropriation;

21 (5) "division transfer" means an approved
22 transfer of funds from one division of an agency to another
23 division of that agency, provided that the annual cumulative
24 effect of division transfers shall not increase or decrease the
25 appropriation to any division by more than seven and one-half
percent;

(6) "program" means a set of activities
undertaken in accordance with a plan of action and organized to

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1 realize clearly defined, measurable goals and objectives; and

2 (7) "subprogram" means a more narrowly defined
3 part of a set of activities undertaken in accordance with a plan
4 of action and organized to realize clearly defined, measurable
5 goals and objectives.

6 B. Pursuant to Sections 6-3-23 through 6-3-25 NMSA
7 1978, the following agencies or divisions are specifically
8 authorized to request the specified budget adjustments during
9 fiscal year 1999:

10 (1) the legislative council service may request
11 category transfers;

12 (2) the legislative finance committee may
13 request category transfers;

14 (3) the senate chief clerk may request category
15 transfers;

16 (4) the house chief clerk may request category
17 transfers;

18 (5) the legislative education study committee
19 may request category transfers;

20 (6) the legislative maintenance department may
21 request category transfers;

22 (7) the legislature may request category
23 transfers;

24 (8) the supreme court law library may request
25 category transfers;

(9) the New Mexico compilation commission may
request category transfers;

(10) the judicial standards commission may

1 request category transfers;

2 (11) the court of appeals may request category
3 transfers;

4 (12) the supreme court may request category
5 transfers;

6 (13) the administrative office of the courts
7 may request category transfers;

8 (14) the supreme court building commission may
9 request category transfers;

10 (15) the jury and witness fee fund may request
11 category transfers;

12 (16) each district court may request category
13 transfers;

14 (17) the Bernalillo county metropolitan court
15 may request category transfers;

16 (18) each district attorney may request
17 category transfers;

18 (19) the administrative office of the district
19 attorneys may request category transfers;

20 (20) the attorney general may request transfers
21 from the travel, maintenance and repairs, supplies and materials,
22 contractual services, operating costs, other costs, capital
23 outlay, out-of-state travel or other financing uses category to
24 any other category;

25 (21) the state auditor may request category
transfers;

(22) the taxation and revenue department may
request transfers from the travel, maintenance and repairs,

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1 supplies and materials, contractual services, operating costs,
2 other costs, capital outlay, out-of-state travel or other
3 financing uses category to any other category;

4 (23) the state investment council may request
5 transfers from the travel, maintenance and repairs, supplies and
6 materials, contractual services, operating costs, other costs,
7 capital outlay, out-of-state travel or other financing uses
8 category to any other category except that money appropriated for
9 investment manager fees in the contractual services category
shall not be transferred;

10 (24) the department of finance and
11 administration may request transfers from the travel, maintenance
12 and repairs, supplies and materials, contractual services,
13 operating costs, other costs, capital outlay, out-of-state travel
or other financing uses category to any other category;

14 (25) the operations division of the public
15 school insurance authority may request category transfers;

16 (26) the administration component of the
17 retiree health care authority may request category transfers;

18 (27) the general services department may
19 request transfers from the travel, maintenance and repairs,
20 supplies and materials, contractual services, operating costs,
21 other costs, capital outlay, out-of-state travel or other
financing uses category to any other category;

22 (28) the educational retirement board may
23 request category transfers;

24 (29) the criminal and juvenile justice
25 coordinating council may request category transfers;

1 (30) the public defender department may request
 2 up to one million dollars (\$1,000,000) in budget increases from
 3 cash balances for operating expenses, contracts and automation
 4 and may request transfers from the travel, maintenance and
 5 repairs, supplies and materials, contractual services, operating
 6 costs, other costs, capital outlay, out-of-state travel or other
 financing uses category to any other category;

7 (31) the governor may request category
 8 transfers;

9 (32) the office on information and
 10 communication management may request category transfers;

11 (33) the lieutenant governor may request
 12 category transfers;

13 (34) the public employees retirement
 14 association may request transfers from the travel, maintenance
 15 and repairs, supplies and materials, contractual services,
 16 operating costs, other costs, capital outlay, out-of-state travel
 17 or other financing uses category to any other category, except
 18 that funds authorized for investment manager fees within the
 19 contractual services category of the administrative division and
 20 for custody services within the other costs category of the
 21 administrative division shall not be transferred;

22 (35) the maintenance division of the public
 23 employees retirement association may request budget increases
 24 from other state funds to meet the emergencies or unexpected
 physical plant failures that might affect the health and safety
 of workers;

25 (36) the state commission of public records may

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1 request category transfers;

2 (37) the secretary of state may request
3 category transfers;

4 (38) the personnel board may request category
5 transfers;

6 (39) the public employee labor relations board
7 may request category transfers;

8 (40) the state treasurer may request category
9 transfers;

10 (41) the board of examiners for architects may
11 request category transfers;

12 (42) the border authority may request category
13 transfers;

14 (43) the tourism department may request
15 transfers from the travel, maintenance and repairs, supplies and
16 materials, contractual services, operating costs, other costs,
17 capital outlay, out-of-state travel or other financing uses
18 category to any other category;

19 (44) the economic development department may
20 request transfers from the travel, maintenance and repairs,
21 supplies and materials, contractual services, operating costs,
22 other costs, capital outlay, out-of-state travel or other
23 financing uses category to any other category;

24 (45) the regulation and licensing department
25 may request transfers from the travel, maintenance and repairs,
supplies and materials, contractual services, operating costs,
other costs, capital outlay, out-of-state travel or other
financing uses category to any other category;

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1 (46) the twenty-seven boards and commissions
 2 under the administration of the regulation and licensing
 3 department, the real estate recovery fund, the barbers and
 4 cosmetologists tuition recovery fund and the securities education
 and training fund may request category transfers;

5 (47) the state corporation commission may
 6 request transfers from the travel, maintenance and repairs,
 7 supplies and materials, contractual services, operating costs,
 8 other costs, capital outlay, out-of-state travel or other
 9 financing uses category to any other category;

10 (48) the public regulation commission may
 11 request category transfers;

12 (49) the New Mexico board of medical examiners
 may request category transfers;

13 (50) the board of nursing may request category
 14 transfers;

15 (51) the state fair commission may request
 16 transfers from the travel, maintenance and repairs, supplies and
 17 materials, contractual services, operating costs, other costs,
 18 capital outlay, out-of-state travel or other financing uses
 category to any other category;

19 (52) the state board of registration for
 20 professional engineers and surveyors may request category
 21 transfers;

22 (53) the state racing commission may request
 23 category transfers;

24 (54) the New Mexico apple commission may
 25 request category transfers;

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1 (55) the board of veterinary medicine may
2 request category transfers;

3 (56) the bicycle racing commission may request
4 category transfers;

5 (57) the office of cultural affairs may request
6 budget increases from internal services funds/interagency
7 transfers for contract archaeology and may request transfers from
8 the travel, maintenance and repairs, supplies and materials,
9 contractual services, operating costs, other costs, capital
10 outlay, out-of-state travel or other financing uses category to
11 any other category;

12 (58) the New Mexico livestock board may request
13 category transfers;

14 (59) the department of game and fish may
15 request budget increases from internal services funds/interagency
16 transfers for emergencies subject to the approval of the
17 department of finance and administration and the legislative
18 finance committee and may request transfers from the travel,
19 maintenance and repairs, supplies and materials, contractual
20 services, operating costs, other costs, capital outlay, out-of-
21 state travel or other financing uses category to any other
22 category;

23 (60) the endangered species program may request
24 category transfers;

25 (61) the energy, minerals and natural resources
department may request transfers from the travel, maintenance and
repairs, supplies and materials, contractual services, operating
costs, other costs, capital outlay, out-of-state travel or other

1 financing uses category to any other category;

2 (62) the oil conservation division of the
3 energy, minerals and natural resources department may request
4 budget increases from the oil and gas reclamation fund to close
5 abandoned wells in the oil patch;

6 (63) the forestry division and the state parks
7 division of the energy, minerals and natural resources department
8 may request budget increases from the New Mexico youth
9 conservation corps fund for projects approved by the New Mexico
10 youth conservation corps commission;

11 (64) the commissioner of public lands may
12 request budget increases from other state funds and may request
13 transfers from the travel, maintenance and repairs, supplies and
14 materials, contractual services, operating costs, other costs,
15 capital outlay, out-of-state travel or other financing uses
16 category to any other category;

17 (65) the state engineer shall not request over
18 one million dollars (\$1,000,000) in the aggregate in fiscal year
19 1999 in budget increases from other state funds;

20 (66) the state engineer may request transfers
21 from the travel, maintenance and repairs, supplies and materials,
22 contractual services, operating costs, other costs, capital
23 outlay, out-of-state travel or other financing uses category to
24 any other category;

25 (67) the New Mexico public utility commission
may request category transfers;

(68) the organic commodity commission may
request category transfers;

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1 (69) the commission on the status of women may
2 request budget increases from other state funds for statutorily
3 mandated recognition programs for women and may request category
4 transfers;

5 (70) the commission for deaf and hard-of-
6 hearing persons may request category transfers;

7 (71) the Martin Luther King, Jr. commission may
8 request category transfers;

9 (72) the commission for the blind may request
10 transfers from the travel, maintenance and repairs, supplies and
11 materials, contractual services, operating costs, other costs,
12 capital outlay, out-of-state travel or other financing uses
13 category to any other category;

14 (73) the New Mexico office of Indian affairs
15 may request category transfers;

16 (74) the state agency on aging may request
17 transfers from the travel, maintenance and repairs, supplies and
18 materials, contractual services, operating costs, other costs,
19 capital outlay, out-of-state travel or other financing uses
20 category to any other category;

21 (75) the human services department may request
22 transfers from the travel, maintenance and repairs, supplies and
23 materials, contractual services, operating costs, other costs,
24 capital outlay, out-of-state travel or other financing uses
25 category to any other category;

(76) the labor department may request transfers
from the travel, maintenance and repairs, supplies and materials,
contractual services, operating costs, other costs, capital

1 outlay, out-of-state travel or other financing uses category to
 2 any other category;

3 (77) the workers' compensation administration
 4 may request transfers from the travel, maintenance and repairs,
 5 supplies and materials, contractual services, operating costs,
 6 other costs, capital outlay, out-of-state travel or other
 financing uses category to any other category;

7 (78) the division of vocational rehabilitation
 8 of the state department of public education may request transfers
 9 from the travel, maintenance and repairs, supplies and materials,
 10 contractual services, operating costs, other costs, capital
 11 outlay, out-of-state travel or other financing uses category to
 any other category;

12 (79) the governor's committee on concerns of
 13 the handicapped may request category transfers;

14 (80) the developmental disabilities planning
 15 council may request category transfers;

16 (81) the miners' hospital of New Mexico may
 17 request transfers from the travel, maintenance and repairs,
 18 supplies and materials, contractual services, operating costs,
 19 other costs, capital outlay, out-of-state travel or other
 financing uses category to any other category;

20 (82) the department of health may request
 21 transfers from the travel, maintenance and repairs, supplies and
 22 materials, contractual services, operating costs, other costs,
 23 capital outlay, out-of-state travel or other financing uses
 24 category to any other category;

25 (83) the department of environment may request

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1 budget increases from other state funds to budget court-ordered
2 responsible party prepayments, from the corrective action fund to
3 pay claims and from the hazardous waste emergency fund to meet
4 emergencies and may request transfers from the travel,
5 maintenance and repairs, supplies and materials, contractual
6 services, operating costs, other costs, capital outlay, out-of-
7 state travel or other financing uses category to any other
8 category;

8 (84) the office of the natural resources
9 trustee may request budget increases from other state funds for
10 court settlements to restore natural resource damage in
11 accordance with court orders and from internal service
12 funds/interagency transfers and may request category transfers;

13 (85) the New Mexico health policy commission
14 may request category transfers;

15 (86) the New Mexico veterans' service
16 commission may request category transfers;

17 (87) the children, youth and families
18 department may request transfers from the travel, maintenance and
19 repairs, supplies and materials, contractual services, operating
20 costs, other costs, capital outlay, out-of-state travel or other
21 financing uses category to any other category;

22 (88) the department of military affairs may
23 request transfers from the travel, supplies and materials,
24 contractual services, other costs, capital outlay, out-of-state
25 travel or other financing uses category to any other category;

(89) the crime stoppers commission may request
category transfers;

1 (90) the parole board may request category
2 transfers;

3 (91) the juvenile parole board may request
4 category transfers;

5 (92) the corrections department may request
6 transfers from the travel, maintenance and repairs, supplies and
7 materials, contractual services, operating costs, other costs,
8 capital outlay, out-of-state travel or other financing uses
9 category to any other category;

10 (93) the crime victims reparation commission
11 may request category transfers;

12 (94) the department of public safety may
13 request budget increases from other state funds for disaster
14 declarations and from internal service funds/interagency
15 transfers, excluding state forfeitures and forfeiture balances,
16 and may request transfers from the travel, maintenance and
17 repairs, supplies and materials, contractual services, operating
18 costs, other costs, capital outlay, out-of-state travel or other
19 financing uses category to any other category;

20 (95) the road betterment division of the state
21 highway and transportation department shall not request over two
22 million dollars (\$2,000,000) in the aggregate in fiscal year 1999
23 in budget increases from unbudgeted revenue in the state road
24 fund;

25 (96) the road betterment division of the state
highway and transportation department shall not request transfers
exceeding seven percent of the other state funds appropriation
from any program or subprogram within the road betterment

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1 division to any other program or subprogram within the road
2 betterment division;

3 (97) the state highway and transportation
4 department may request transfers from the travel, maintenance and
5 repairs, supplies and materials, contractual services, operating
6 costs, other costs, capital outlay, out-of-state travel or other
financing uses category to any other category;

7 (98) the state department of public education
8 may request transfers from the travel, maintenance and repairs,
9 supplies and materials, contractual services, operating costs,
10 other costs, capital outlay, out-of-state travel or other
11 financing uses category to any other category; and

12 (99) the commission on higher education may
13 request category transfers.

14 C. Except as allowed in Subsection B of this section
15 or otherwise provided by law, without the approval of the
16 legislative finance committee the state budget division of the
17 department of finance and administration shall not approve
18 additional budget increases from nongeneral fund revenues. Such
19 budget increases shall be approved by the legislative finance
20 committee only for emergencies and shall not exceed one million
21 dollars (\$1,000,000) for each budget increase nor exceed a total
22 of four million dollars (\$4,000,000) in fiscal year 1999.

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FORTY-THIRD LEGISLATURE
SECOND SESSION

February 18, 1998

HOUSE FLOOR AMENDMENT number _____ to HOUSE APPROPRIATIONS AND
FINANCE COMMITTEE SUBSTITUTE
FOR HOUSE BILL 448

Amendment sponsored by Representative Max Coll

1. On page 17, line 25, before "transfers" insert "budget increases from other state funds for the purpose of meeting the needs of implementing the new investment program and associated external investment manager and bank custody fees and may request".

2. On page 21, line 22, before "transfers" insert "budget increases from other state funds for the purpose of paying off outstanding debt and may request".

3. On page 26, line 20, after "funds" strike the remainder of the line and all of lines 21 and 22 and line 23 through "emergencies".

4. On page 29, line 9, after "request" insert "budget increases

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3 from other state funds for the Public Building Energy Efficiency and
4 Water Construction Act and from the public school capital outlay fund
5 and may request".

6
7 5. On page 29, lines 15 through 23, strike Subsection C in its
8 entirety and insert in lieu thereof:

9
10 "C. The state budget division of the department of finance
11 and administration shall not approve a request for a budget increase
12 authorized in Subsection B of this section for an amount greater than
13 one million dollars (\$1,000,000) without the prior approval of the
14 legislative finance committee. This requirement is a limitation on
15 the grant of power to agencies to exceed specific appropriations and,
16 as adjudicated in the cases of Coll v. Carruthers and Sego v.
Kirkpatrick, cannot be broadened by the use of the veto power.

17
18 D. Except as allowed in Subsection B of this section or
19 otherwise provided by law, without the approval of the legislative
20 finance committee, the state budget division of the department of
21 finance and administration shall not approve additional budget
22 increases from nongeneral fund revenues. Such budget increases shall
23 be approved by the legislative finance committee only for emergencies
24 and shall not exceed a total of ten million dollars (\$10,000,000) in
fiscal year 1999. "

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Max Coll

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10 HOUSE FLOOR AMENDMENT number _____ to HOUSE APPROPRIATIONS AND
11 FINANCE COMMITTEE SUBSTITUTE
12 FOR HOUSE BILL 448

13 Amendment sponsored by Representative Max Coll
14

15
16 1. On page 28, line 3, before "transfers" insert "budget
17 increases from other state funds in amounts not to exceed four
18 million four hundred thousand dollars (\$4,400,000) in fiscal year
19 1999 and may request".
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10 HOUSE FLOOR AMENDMENT number _____ to HOUSE APPROPRIATIONS AND
11 FINANCE COMMITTEE SUBSTITUTE
12 FOR HOUSE BILL 448

13 Amendment sponsored by Representative Max Coll
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- 15
- 16 1. On page 2, line 19, after the semicolon insert "and".
 - 17 2. On page 2, line 24, strike "; and" and insert a period.
 - 18 3. On page 2, line 25 and on page 3, lines 1 through 5, strike
19 Subsection F in its entirety.
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