

1 HOUSE BILL 1

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2020**

3 INTRODUCED BY

4 Patricia A. Lundstrom

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10 AN ACT

11 RELATING TO GENERAL APPROPRIATIONS; REDUCING APPROPRIATIONS FOR  
12 FISCAL YEARS 2020 AND 2021 MADE IN LAWS 2020, CHAPTERS 1 AND  
13 83; CHANGING CERTAIN REQUIREMENTS PROVIDED FOR IN LAWS 2020,  
14 CHAPTER 83 AND LAWS 2019, SECTION 271; TRANSFERRING MONEY  
15 REMAINING FROM CERTAIN FEDERAL ALLOCATIONS TO THE STATE TO MEET  
16 EXISTING FEDERAL REQUIREMENTS AND FOR PUBLIC SCHOOL SUPPORT;  
17 ALLOWING THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO MAKE  
18 CERTAIN TRANSFERS, REDUCE OPERATING BUDGETS AND REDUCE  
19 ALLOTMENTS TO MATCH APPROPRIATION REDUCTIONS; APPROPRIATING  
20 LEGISLATIVE CASH BALANCES FOR THE EXPENSES OF THE FIFTY-FOURTH  
21 LEGISLATURE, FIRST SPECIAL SESSION, 2020; EXTENDING THE  
22 EXPENDITURE PERIOD FOR AN APPROPRIATION FOR CENSUS OUTREACH;  
23 REQUIRING THE PUBLIC EDUCATION DEPARTMENT TO PRIORITIZE  
24 EXTENDED LEARNING TIME PROGRAMS TO ACCOUNT FOR INSTRUCTION LOST  
25 IN THE 2019-2020 SCHOOL YEAR; MAKING A TECHNICAL CORRECTION;

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1 MAKING AN APPROPRIATION.

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

4 SECTION 1. LEGISLATIVE BRANCH APPROPRIATION REDUCTIONS.--

5 The appropriations made from the general fund in Laws 2020,  
6 Chapter 1, Sections 3 and 5 through 8 are reduced by four  
7 percent rounded to the nearest one hundred dollars (\$100). To  
8 meet the reductions required by this section and maintain  
9 government efficiency, the New Mexico legislative council shall  
10 determine the amount of reduction applied to each legislative  
11 agency and purpose and may transfer amounts from any of the  
12 appropriations in Laws 2020, Chapter 1 to any other legislative  
13 expenditure where they may be needed.

14 SECTION 2. A new section of the General Appropriation Act  
15 of 2020 is enacted to read:

16 "[NEW MATERIAL] GENERAL FUND APPROPRIATION REDUCTIONS--

17 SECTION 4.--

18 A. Except as otherwise provided in this section,  
19 all amounts set out under the general fund column in Section 4  
20 of the General Appropriation Act of 2020, except Subsection K  
21 of Section 4 of that act, are each reduced by four percent  
22 rounded to the nearest one hundred dollars (\$100).

23 B. The general fund appropriations to the human  
24 services department for the medical assistance program and the  
25 medicaid behavioral health program of the human services

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1 department in Section 4 of the General Appropriation Act of  
2 2020 are each reduced by three percent, rounded to the nearest  
3 one hundred dollars (\$100).

4 C. The general fund appropriations to the  
5 department of health in Section 4 of the General Appropriation  
6 Act of 2020 are each reduced by two percent.

7 D. The following general fund appropriations in  
8 Section 4 of the General Appropriation Act of 2020 are reduced  
9 by six percent, rounded to the nearest one hundred dollars  
10 (\$100):

11 (1) appropriations to the department of  
12 finance and administration for dues and membership fees or  
13 special appropriations;

14 (2) appropriations to each institution of  
15 higher education, except appropriations for instruction and  
16 general purposes and appropriations to the New Mexico  
17 department of agriculture, cooperative extension service and  
18 agricultural experiment station, which shall be reduced as  
19 provided for in Subsection A of this section;

20 (3) appropriations for the regional education  
21 cooperatives; and

22 (4) appropriations to the public education  
23 department for special appropriations.

24 E. To meet the reductions required by this section  
25 and maintain government efficiency, each agency shall determine

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1 the amount of reduction applied to each specific program or  
2 purpose. The department of finance and administration shall  
3 provide guidance to each agency provided for in this section to  
4 assist the agency in targeting program reductions that will  
5 minimize the impact of the reductions on direct services  
6 provided by the agency."

7 SECTION 3. A new section of the General Appropriation Act  
8 of 2020 is enacted to read:

9 "[NEW MATERIAL] ADDITIONAL APPROPRIATION REDUCTIONS AND  
10 CHANGES--SECTION 4.--

11 A. In addition to the general fund reductions in  
12 Sections 2, 4 and 5 of this 2020 act, the general fund  
13 appropriation in Section 4 of the General Appropriation Act of  
14 2020 to:

15 (1) the facilities management program of the  
16 general services department is reduced by six hundred thousand  
17 dollars (\$600,000);

18 (2) the elections program of the secretary of  
19 state is reduced by five hundred thousand dollars (\$500,000);

20 (3) the marketing and promotion program of the  
21 tourism department is reduced by six hundred thousand dollars  
22 (\$600,000);

23 (4) the economic development program of the  
24 economic development department is reduced by five hundred  
25 thousand dollars (\$500,000);

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1 (5) the spaceport authority is reduced by six  
2 hundred thousand dollars (\$600,000);

3 (6) program support of the state engineer is  
4 reduced by four hundred thousand dollars (\$400,000);

5 (7) the early childhood education and care  
6 program of the early childhood education and care department is  
7 reduced by three million three hundred thousand dollars  
8 (\$3,300,000);

9 (8) the public pre-kindergarten program of the  
10 early childhood education and care department is reduced by one  
11 million dollars (\$1,000,000);

12 (9) program support of the early childhood  
13 education and care department is reduced by six hundred  
14 seventy-one thousand four hundred dollars (\$671,400);

15 (10) the medical assistance program of the  
16 human services department is reduced by seventeen million  
17 dollars (\$17,000,000);

18 (11) the income support program of the human  
19 services department is reduced by one million one hundred  
20 twenty-seven thousand four hundred dollars (\$1,127,400);

21 (12) the behavioral health services program of  
22 the human services department is reduced by five hundred  
23 thousand dollars (\$500,000);

24 (13) program support of the human services  
25 department is reduced by five hundred seventy-two thousand six

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1 hundred dollars (\$572,600);

2 (14) the developmental disabilities support  
3 program of the department of health is reduced by two million  
4 four hundred thousand dollars (\$2,400,000);

5 (15) program support of the department of  
6 health is reduced by six hundred thousand dollars (\$600,000);

7 (16) the water protection program of the  
8 department of environment is reduced by four hundred thousand  
9 dollars (\$400,000);

10 (17) the protective services program of the  
11 children, youth and families department is reduced by one  
12 million dollars (\$1,000,000);

13 (18) program support of the children, youth  
14 and families department is reduced by five hundred thousand  
15 dollars (\$500,000);

16 (19) the inmate management and control program  
17 of the corrections department is reduced by seven hundred fifty  
18 thousand dollars (\$750,000);

19 (20) the law enforcement program of the  
20 department of public safety is reduced by one million dollars  
21 (\$1,000,000); and

22 (21) the opportunity scholarship program of  
23 the higher education department is reduced by seven million  
24 dollars (\$7,000,000).

25 B. Notwithstanding any other provision of the

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1 General Appropriation Act of 2020, the college of agriculture,  
2 consumer and environmental sciences of New Mexico state  
3 university shall not transfer the staff position and funding  
4 for the rodeo coach to the athletics department."

5 SECTION 4. A new section of the General Appropriation Act  
6 of 2020 is enacted to read:

7 "[NEW MATERIAL] REDUCTIONS ACCOUNTING FOR FEDERAL FUND  
8 ALLOCATIONS--SECTION 4.--

9 A. In addition to the general fund reductions in  
10 Sections 2, 3 and 5 of this 2020 act, to account for certain  
11 funds received through the federal Coronavirus Aid, Relief, and  
12 Economic Security Act, other state funds and federal funds, the  
13 general fund appropriations in Section 4 of the General  
14 Appropriation Act of 2020 to:

15 (1) the early childhood education and care  
16 department is reduced by five million dollars (\$5,000,000);

17 (2) the department of health is reduced by  
18 seven million dollars (\$7,000,000);

19 (3) the human services department is reduced  
20 by seventy-five million dollars (\$75,000,000);

21 (4) the instruction and general purposes  
22 appropriations to each higher education institution are reduced  
23 by twenty-five million two hundred sixty-four thousand seven  
24 hundred dollars (\$25,264,700);

25 (5) the health sciences center of the

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1 university of New Mexico for instruction and general purposes  
2 is reduced by one million six hundred nineteen thousand three  
3 hundred dollars (\$1,619,300);

4 (6) the public education department special  
5 appropriations in Subsection I are reduced by ten million  
6 dollars (\$10,000,000), in proportion to each special  
7 appropriation's share of total public education department  
8 special appropriations to reflect funding support from the  
9 governor's emergency education relief fund of the federal  
10 Coronavirus Aid, Relief, and Economic Security Act; and

11 (7) the state equalization guarantee  
12 distribution provided in Item (1) of Subsection K is reduced by  
13 forty-four million six hundred sixty-one thousand dollars  
14 (\$44,661,000) to reflect funding support from the elementary  
15 and secondary school emergency relief fund of the federal  
16 Coronavirus Aid, Relief, and Economic Security Act.

17 B. To administer the reductions provided in  
18 Paragraph (4) of Subsection A of this section, the department  
19 of finance and administration shall reduce the general fund  
20 allotment for instruction and general purposes appropriations  
21 to each higher education public college and university by  
22 forty-five percent of the amount each institution received  
23 pursuant to the federal Coronavirus Aid, Relief, and Economic  
24 Security Act."

25 SECTION 5. A new section of the General Appropriation Act

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1 of 2020 is enacted to read:

2 "[NEW MATERIAL] ADDITIONAL PUBLIC EDUCATION AND PUBLIC  
3 SCHOOL SUPPORT APPROPRIATION REDUCTIONS AND CHANGES--SECTION  
4 4.--

5 A. In addition to the general fund reductions  
6 provided in Section 4 of this 2020 act, the general fund  
7 appropriation to the state equalization guarantee distribution  
8 in Item (1) of Subsection K of the General Appropriation Act of  
9 2020 is reduced by one hundred sixty-two million twenty-eight  
10 thousand nine hundred dollars (\$162,028,900).

11 B. As provided in Item (1) of Subsection K of the  
12 General Appropriation Act of 2020, in lieu of the:

13 (1) six million dollars (\$6,000,000) for  
14 elementary physical education programs, no additional funding  
15 shall be included for elementary physical education programs;

16 (2) one hundred nineteen million eight hundred  
17 ninety-five thousand nine hundred dollars (\$119,895,900) for  
18 K-5 plus programs, seventy-nine million eight hundred  
19 ninety-five thousand nine hundred dollars (\$79,895,900) shall  
20 be included for K-5 plus programs;

21 (3) ten million dollars (\$10,000,000) to  
22 provide evidence-based structured literacy interventions and  
23 develop literacy collaborative models that lead to improved  
24 reading and writing achievement of students in kindergarten  
25 through second grade, eight million dollars (\$8,000,000) shall

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1 be included to provide evidence-based structured literacy  
2 interventions and develop literacy collaborative models that  
3 lead to improved reading and writing achievement of students in  
4 kindergarten through second grade;

5 (4) fifty-nine million one hundred eighty  
6 thousand two hundred dollars (\$59,180,200) to provide an  
7 average four percent salary increase to all licensed teachers  
8 whose primary duty is classroom instruction, nine million  
9 seventy thousand six hundred dollars (\$9,070,600) shall be  
10 included to provide salary increases to all licensed teachers  
11 whose primary duty is classroom instruction; provided that the  
12 secretary of public education shall not:

13 (a) approve the operating budget of a  
14 school district or charter school that does not provide an  
15 average salary increase for all licensed teachers whose primary  
16 duty is classroom instruction of one and one-half percent for  
17 employees earning an annual salary of less than forty thousand  
18 dollars (\$40,000) and one-half percent for employees earning an  
19 annual salary of forty thousand dollars (\$40,000) or higher;

20 (b) approve the operating budget of a  
21 school district or charter school that fails to mitigate  
22 reductions in employee take home pay due to changes in health  
23 insurance premiums; and

24 (c) require that the operating budget of  
25 a school district or charter school provide an average four

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1 percent salary increase for all licensed teachers whose primary  
2 duty is classroom instruction; and

3 (5) thirty-three million four hundred  
4 forty-seven thousand four hundred dollars (\$33,447,400) to  
5 provide an average four percent salary increase for all school  
6 personnel, other than licensed teachers whose primary duty is  
7 classroom instruction, seven million four hundred seventy-two  
8 thousand seven hundred dollars (\$7,472,700) shall be included  
9 to provide salary increases for all school personnel, other  
10 than licensed teachers whose primary duty is classroom  
11 instruction; provided that the secretary of public education  
12 shall not:

13 (a) approve the operating budget of a  
14 school district or charter school that does not provide an  
15 average salary increase for all school personnel, other than  
16 licensed teachers whose primary duty is classroom instruction,  
17 of one and one-half percent for employees earning an annual  
18 salary of less than forty thousand dollars (\$40,000) and one-  
19 half percent for employees earning an annual salary of forty  
20 thousand dollars (\$40,000) or higher;

21 (b) approve the operating budget of a  
22 school district or charter school that fails to mitigate  
23 reductions in employee take home pay due to changes in health  
24 insurance premiums; and

25 (c) require that the operating budget of

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1 a school district or charter school provide an average four  
2 percent salary increase for all school personnel, other than  
3 licensed teachers whose primary duty is classroom instruction.

4 C. The changes provided in Subsection B of this  
5 section shall not be construed to require additional reductions  
6 to the total general fund appropriation to the state  
7 equalization guarantee distribution in Item (1) of Subsection K  
8 of the General Appropriation Act of 2020.

9 D. An elementary school that provided all enrolled  
10 elementary school students at least twenty-five additional  
11 instructional days beyond the number of regular instructional  
12 days provided in the 2018-2019 school year is eligible to  
13 generate K-5 plus program units using the average number of  
14 elementary school students enrolled in that elementary school  
15 on the second and third reporting date of the 2019-2020 school  
16 year multiplied by the cost differential factor of three-tenths  
17 as established in Section 22-8-23.11 NMSA 1978.

18 E. Notwithstanding provisions of the K-5 Plus Act,  
19 the secretary of public education may waive up to ten days of a  
20 K-5 plus program in an elementary school that offers the  
21 program to all enrolled students and is closed due to a public  
22 health emergency in fiscal year 2021.

23 F. The public education department shall work with  
24 school districts and charter schools to prioritize additional  
25 instructional time for all students through participation in

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1 extended learning time programs authorized by Section  
2 22-8-23.10 NMSA 1978 to recover instructional time that was  
3 lost to students during the 2019-2020 school year due to the  
4 public health emergency. A school district or charter school  
5 is eligible to generate additional program units using the  
6 average number of students enrolled in the school district or  
7 charter school on the second and third reporting date of the  
8 2019-2020 school year multiplied by the cost differential  
9 factor of eleven-hundredths as established in Section  
10 22-8-23.10 NMSA 1978 if the school district or charter school  
11 provides all enrolled students:

12 (1) ten additional instructional days beyond  
13 the number of regular instructional days provided in the  
14 2018-2019 school year;

15 (2) a five-day school week and one hundred  
16 ninety instructional days during the 2020-2021 school year; or

17 (3) a four-day school week and one hundred  
18 sixty instructional days during the 2020-2021 school year.

19 G. A school district or charter school that chooses  
20 not to add the additional instructional time provided in  
21 Subsection F of this section shall provide written notification  
22 to the public education department, the legislative education  
23 study committee and the legislative finance committee of its  
24 intent not to participate and additional documentation  
25 detailing how the school district or charter school will

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1 recover instructional time that was lost to students during the  
2 2019-2020 school year due to the public health emergency in its  
3 educational plan pursuant to Section 22-8-6 NMSA 1978.

4 H. In addition to the authority provided in Item  
5 (1) of Subsection K of Section 4 of the General Appropriation  
6 Act of 2020 to the secretary of public education to determine a  
7 program unit value, the secretary of public education shall  
8 adjust the preliminary unit value used to establish budgets for  
9 the 2020-2021 school year by August 1, 2020, to account for any  
10 changes to the state equalization guarantee distribution. In  
11 adjusting the preliminary unit value in August, the public  
12 education department shall consult with the department of  
13 finance and administration, the legislative finance committee  
14 and the legislative education study committee.

15 I. If the secretary of public education determines  
16 that all legal remedies have been exhausted and a final court  
17 decision prohibits the deduction of federal revenue pursuant to  
18 Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that  
19 includes payments to school districts and charter schools  
20 commonly known as "impact aid funds" pursuant to 20 U.S.C. 7701  
21 et seq., and formerly known as "PL 874 funds" for fiscal years  
22 2020 and 2021, the state board of finance shall approve a  
23 transfer from the state-support reserve fund to make payments  
24 to impact aid school districts and charter schools affected by  
25 the court decision.

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1           J. The appropriation from the general fund to the  
2 transportation distribution provided in Item (2) of Subsection  
3 K of Section 4 of the General Appropriation Act of 2020 is  
4 reduced by five million three hundred one thousand one hundred  
5 dollars (\$5,301,100).

6           K. As provided in Item (2) of Subsection K of the  
7 General Appropriation Act of 2020, in lieu of the one million  
8 five hundred ninety-four thousand dollars (\$1,594,000) to  
9 provide an average four percent salary increase for all public  
10 school transportation personnel, three hundred six thousand  
11 eight hundred dollars (\$306,800) shall be included to provide  
12 salary increases for all public school transportation  
13 personnel; provided that the secretary of public education  
14 shall not:

15                   (1) approve the operating budget of a school  
16 district or charter school that does not provide an average  
17 salary increase for all public school transportation personnel  
18 of one and one-half percent for employees earning an annual  
19 salary of less than forty thousand dollars (\$40,000) and one-  
20 half percent for employees earning an annual salary of forty  
21 thousand dollars (\$40,000) or higher;

22                   (2) approve the operating budget of a school  
23 district or charter school that fails to mitigate reductions in  
24 employee take home pay due to changes in health insurance  
25 premiums; and

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1 (3) require that the operating budget of a  
2 school district or charter school provide an average four  
3 percent salary increase for all public school transportation  
4 personnel.

5 L. The change provided in Subsection J of this  
6 section shall not be construed to require additional reductions  
7 to the general fund appropriation to the transportation  
8 distribution in Item (2) of Subsection K of the General  
9 Appropriation Act of 2020.

10 M. The appropriations from the general fund to the  
11 supplemental distribution, dual-credit instructional materials,  
12 Indian education fund and standards-based assessments in  
13 Subsection K of Section 4 of the General Appropriation Act of  
14 2020 are reduced by four million fourteen thousand dollars  
15 (\$4,014,000), as determined by the public education department.

16 N. The appropriations from the general fund to the  
17 public education department special appropriations in  
18 Subsection I of Section 4 of the General Appropriation Act of  
19 2020 are reduced by three million four hundred fifteen thousand  
20 nine hundred dollars (\$3,415,900) in proportion to each  
21 appropriation's share of total public education department  
22 special appropriations."

23 SECTION 6. A new section of the General Appropriation Act  
24 of 2020 is enacted to read:

25 "[NEW MATERIAL] APPROPRIATION INCREASES--SECTION 4.--The  
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1 appropriations in Section 4 of the General Appropriation Act of  
2 2020 are each increased by the following:

3 A. the internal service funds or interagency  
4 transfers appropriation to the fiscal management and oversight  
5 program of the department of finance and administration in the  
6 other financing uses category is increased by seventeen million  
7 dollars (\$17,000,000) from the tobacco settlement program fund  
8 for medicaid programs; and

9 B. the internal service funds or interagency  
10 transfers appropriations to the medical assistance program of  
11 the human services department is increased by seventeen million  
12 dollars (\$17,000,000) from the department of finance and  
13 administration for medicaid programs."

14 SECTION 7. A new section of the General Appropriation Act  
15 of 2020 is enacted to read:

16 "[NEW MATERIAL] APPROPRIATION REDUCTIONS--SECTION 5.--

17 A. The appropriations in Section 5 of the General  
18 Appropriation Act of 2020 are each reduced by the following:

19 (1) the general fund appropriation to the  
20 administrative office of the courts to purchase and install  
21 furniture and equipment and convert permanent and long-term  
22 retention case files to digitization at magistrate courts in  
23 Item (8) is reduced by five hundred thousand dollars  
24 (\$500,000);

25 (2) the general fund appropriation to the

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1 administrative office of the courts for a unified appropriation  
2 for magistrate court security personnel in Item (9) is reduced  
3 by two hundred thousand dollars (\$200,000);

4 (3) the general fund appropriation to the  
5 first judicial district attorney to purchase office furniture  
6 and telephones in Item (19) is reduced by twenty-five thousand  
7 dollars (\$25,000);

8 (4) the general fund appropriation to the  
9 public defender department to purchase vehicles in Item (24) is  
10 reduced by sixty thousand dollars (\$60,000);

11 (5) the general fund appropriation to the  
12 department of finance and administration for a youth symphony  
13 music program and concerts in Roswell, New Mexico in Item (31)  
14 is reduced by seventy-five thousand dollars (\$75,000);

15 (6) the general fund appropriation to the  
16 department of finance and administration for the civil legal  
17 services fund in Item (33) is reduced by fifty thousand dollars  
18 (\$50,000);

19 (7) the general fund appropriation to the  
20 department of finance and administration for the local  
21 government division to work with Los Lunas to plan for a new  
22 hospital in Item (34) is reduced by one hundred thousand  
23 dollars (\$100,000);

24 (8) the general fund appropriation to the  
25 general services department to purchase vehicles in Item (37)

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1 is reduced by two million dollars (\$2,000,000);

2 (9) the general fund appropriation to the  
3 department of information technology for the replacement or  
4 upgrade of outdated information technology equipment and  
5 software in Item (42) is reduced by one million dollars  
6 (\$1,000,000);

7 (10) the general fund appropriation to the  
8 economic development department for a twenty-year, statewide  
9 economic development plan in Item (47) is reduced by three  
10 hundred thousand dollars (\$300,000);

11 (11) the general fund appropriation to the  
12 economic development department for economic development  
13 projects in Cibola and McKinley counties in Item (48) is  
14 reduced by one million five hundred thousand dollars  
15 (\$1,500,000), including reductions of five hundred thousand  
16 dollars (\$500,000) to the New Mexico institute of mining and  
17 technology, five hundred thousand dollars (\$500,000) to New  
18 Mexico state university and five hundred thousand dollars  
19 (\$500,000) pursuant to the Local Economic Development Act;

20 (12) the general fund appropriation to the  
21 economic development department for economic development  
22 projects pursuant to the Local Economic Development Act in Item  
23 (49) is reduced by five million dollars (\$5,000,000);

24 (13) the general fund appropriation to the  
25 economic development department to the development training

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1 fund for the job training incentive program in Item (51) is  
2 reduced by one million dollars (\$1,000,000);

3 (14) the general fund appropriation to the  
4 energy, minerals and natural resources department to promote  
5 cost effective investments in clean energy production and  
6 management for the purposes of growing the economy in Item (62)  
7 is reduced by five hundred thousand dollars (\$500,000);

8 (15) the general fund appropriation to the  
9 state engineer for the interstate stream compact compliance and  
10 water development program to develop and fund a water  
11 management pilot project for the lower Rio Grande for fiscal  
12 years 2020 through 2023 in Item (67) is reduced by ten million  
13 dollars (\$10,000,000);

14 (16) the general fund appropriation to the  
15 aging and long-term services department for the Kiki Saavedra  
16 senior dignity fund in Item (81) is reduced by one million  
17 dollars (\$1,000,000);

18 (17) the general fund appropriation to the  
19 department of health for master planning assessments for five  
20 department of health hospitals in Item (93) is reduced by four  
21 hundred thousand dollars (\$400,000);

22 (18) the general fund appropriation to the  
23 office of the natural resources trustee for the natural  
24 resources trustee fund in Item (101) is reduced five hundred  
25 thousand dollars (\$500,000);

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1 (19) the general fund appropriation to the  
2 corrections department for hepatitis c treatment and planning  
3 in Item (104) is reduced by three million dollars (\$3,000,000);

4 (20) the general fund appropriation to the  
5 department of public safety to purchase a robot for the New  
6 Mexico state police bomb squad in Item (109) is reduced by four  
7 hundred eleven thousand dollars (\$411,000);

8 (21) the general fund appropriation to the  
9 department of public safety to purchase and equip law  
10 enforcement vehicles in Item (113) is reduced by two million  
11 six hundred thousand dollars (\$2,600,000);

12 (22) the general fund appropriation to the  
13 homeland security and emergency management department for  
14 border security, public health and communications, including  
15 one hundred thousand dollars (\$100,000) for distribution to law  
16 enforcement agencies in border counties, in Item (114) is  
17 reduced by three hundred fifty thousand dollars (\$350,000);

18 (23) the general fund appropriation to the  
19 homeland security and emergency management department for  
20 office furniture in Item (116) is reduced by thirty-four  
21 thousand three hundred dollars (\$34,300);

22 (24) the general fund appropriation to the  
23 homeland security and emergency management department to  
24 purchase vehicles in Item (117) is reduced by five hundred  
25 fifty thousand dollars (\$550,000);

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1 (25) the appropriation made from the public  
2 education reform fund to the public education department to  
3 develop culturally and linguistically appropriate instructional  
4 materials and curricula in Item (120) is reduced by eight  
5 million dollars (\$8,000,000);

6 (26) the appropriation made from the public  
7 education reform fund to the public education department for a  
8 school budget transparency website in Item (124) is reduced by  
9 three million dollars (\$3,000,000);

10 (27) the appropriation made from the public  
11 education reform fund to the public education department for  
12 school improvement grants at public schools previously  
13 identified as a more rigorous intervention school by the public  
14 education department in Item (127) is reduced by two million  
15 nine hundred thirty-three thousand one hundred dollars  
16 (\$2,933,100);

17 (28) the appropriation made from the public  
18 education reform fund to the public education department for a  
19 statewide special education convening in Item (129) is reduced  
20 by seven hundred fifty thousand dollars (\$750,000);

21 (29) the appropriation made from the public  
22 education reform fund to the public education department to  
23 place teachers in hard-to-staff schools and provide ongoing  
24 support and development in Item (131) is reduced by one million  
25 dollars (\$1,000,000);

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1 (30) the appropriation made from the public  
2 education reform fund to the public education department for  
3 teacher residencies in Item (132) is reduced by one million  
4 dollars (\$1,000,000);

5 (31) the general fund appropriation to the  
6 higher education department for financial aid for low-income  
7 students in Item (135) is reduced by ten million dollars  
8 (\$10,000,000), including reductions of five million dollars  
9 (\$5,000,000) for the teacher preparation affordability  
10 scholarship fund and five million dollars (\$5,000,000) for the  
11 opportunity scholarship;

12 (32) the general fund appropriation to New  
13 Mexico state university to the New Mexico department of  
14 agriculture for the soil and water conservation commission for  
15 a pilot agricultural and natural resources grant program in  
16 Item (138) is reduced by one million eight hundred thousand  
17 dollars (\$1,800,000);

18 (33) the general fund appropriation to the  
19 computer systems enhancement fund for transfer to the computer  
20 systems enhancement fund for system replacements or  
21 enhancements in Item (139) is reduced by six million seven  
22 hundred thirty-three thousand nine hundred dollars  
23 (\$6,733,900);

24 (34) the appropriation made from the public  
25 education reform fund to public school support to pilot summer

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1 extended learning opportunities in historically defined Indian  
2 impacted school districts or charter schools and school  
3 districts with a membership of fewer than two hundred,  
4 including early childhood education full-time-equivalent  
5 membership, in Item (140) is reduced by five million dollars  
6 (\$5,000,000);

7 (35) the appropriation made from the public  
8 education reform fund to public school support for  
9 instructional materials in Item (141) is reduced by four  
10 million five hundred thousand dollars (\$4,500,000); and

11 (36) the appropriation made from the public  
12 education reform fund to public school support to pilot K-12  
13 plus programs and support public schools establishing partial  
14 K-5 plus programs that will comply with the K-5 Plus Act by  
15 fiscal year 2023 in Item (142) is reduced by thirty million  
16 dollars (\$30,000,000).

17 B. If funding from the federal Coronavirus Aid,  
18 Relief, and Economic Security Act is available, the department  
19 of finance and administration may use those funds to provide  
20 supplemental funding for the appropriations to the public  
21 education department or to public school support listed in  
22 Subsection A this section; provided that funding from the  
23 federal Coronavirus Aid, Relief, and Economic Security Act  
24 shall not exceed the total appropriation reduction for a  
25 purpose as provided by this section."

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1           **SECTION 8.** A new section of the General Appropriation Act  
2 of 2020 is enacted to read:

3           "[NEW MATERIAL] **DEVELOPMENTAL DISABILITIES SUPPORT**  
4 **PROGRAM--REVERSION--SECTION 5.**--Notwithstanding any other  
5 provision of the General Appropriation Act of 2020, the total  
6 amount of funds that shall revert pursuant to Item (89) of  
7 Section 5 of the General Appropriation Act of 2020 shall be  
8 seven million dollars (\$7,000,000). Any unexpended balance  
9 over seven million dollars (\$7,000,000) in the developmental  
10 disabilities support program of the department of health  
11 remaining at the end of fiscal year 2020 shall not revert to  
12 the general fund."

13           **SECTION 9.** A new section of the General Appropriation Act  
14 of 2020 is enacted to read:

15           "[NEW MATERIAL] **SUPPLEMENTAL AND DEFICIENCY APPROPRIATION**  
16 **REDUCTION--SECTION 6.**--The general fund appropriation in Item  
17 (6) of Section 6 of the General Appropriation Act of 2020 to  
18 the public school insurance authority to the public school  
19 insurance fund to pay insurance claims is reduced by two  
20 million dollars (\$2,000,000)."

21           **SECTION 10.** A new section of the General Appropriation  
22 Act of 2020 is enacted to read:

23           "[NEW MATERIAL] **INFORMATION TECHNOLOGY APPROPRIATION**  
24 **REDUCTIONS--SECTION 7.**--The appropriations from the computer  
25 systems enhancement fund in Section 7 of the General

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1 Appropriation Act of 2020 are each reduced by the following:

2           A. the appropriation to the public defender  
3 department to implement an integrated document management  
4 system and a redundant storage system for digital  
5 archives in Item (3) is reduced by one million seventy thousand  
6 dollars (\$1,070,000);

7           B. the appropriation to the department of finance  
8 and administration to develop a web-based interface for the  
9 comprehensive annual financial report system software in Item  
10 (7) is reduced by two hundred fifty thousand dollars  
11 (\$250,000);

12           C. the appropriation to the personnel board to  
13 implement additional functionality in the human capital  
14 management module in the statewide human resource accounting  
15 and reporting system in Item (12) is reduced by two million  
16 five hundred thousand dollars (\$2,500,000);

17           D. the appropriation to the tourism department to  
18 purchase and install interactive technology at four statewide  
19 visitor information centers in Item (13) is reduced by five  
20 hundred eighty-two thousand nine hundred dollars (\$582,900);

21           E. the appropriation to the department of  
22 environment to implement an enterprise environmental  
23 information system for the department of environment programs  
24 in Item (35) is reduced by one million five hundred eighty-one  
25 thousand dollars (\$1,581,000); and

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1           F. the appropriation to the corrections department  
2 for the initiation and planning phase to implement an  
3 electronic health records system with a commercial  
4 off-the-shelf solution in Item (39) is reduced by seven hundred  
5 fifty thousand dollars (\$750,000)."

6           SECTION 11. A new section of the General Appropriation  
7 Act of 2020 is enacted to read:

8           "[NEW MATERIAL] COMPENSATION APPROPRIATIONS REDUCTION--  
9 SECTION 8.--The general fund appropriations in Section 8 of the  
10 General Appropriation Act of 2020 are reduced to thirteen  
11 million one hundred forty-nine thousand nine hundred dollars  
12 (\$13,149,900), and salary increases as provided in that section  
13 are reduced as follows:

14           A. for permanent legislative employees, as provided  
15 in Item (1) of Subsection A, the appropriation is reduced to  
16 one hundred nine thousand four hundred dollars (\$109,400), and  
17 the salary increase is reduced to a rate of one and one-half  
18 percent for employees earning an annual salary of less than  
19 forty thousand dollars (\$40,000) and one-half percent for  
20 employees earning an annual salary of forty thousand dollars  
21 (\$40,000) or higher;

22           B. for all judicial permanent employees excluding  
23 judges, all district attorney permanent employees, all public  
24 defender department permanent employees, judicial child support  
25 hearing officers and judicial special commissioners, as

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1 provided in Item (2) of Subsection A, the appropriation is  
2 reduced to one million seven hundred thirty-four thousand four  
3 hundred dollars (\$1,734,400), and the salary increase is  
4 reduced to a rate of one and one-half percent for employees  
5 earning an annual salary of less than forty thousand dollars  
6 (\$40,000) and one-half percent for employees earning an annual  
7 salary of forty thousand dollars (\$40,000) or higher;

8 C. for judges and magistrates, as provided in Item  
9 (3) of Subsection A, the appropriation is reduced to one  
10 hundred forty-seven thousand four hundred dollars (\$147,400),  
11 and the salary increase is reduced to a rate of one-half  
12 percent;

13 D. for incumbents in agencies governed by the State  
14 Personnel Act, the New Mexico state police career pay system,  
15 attorney general employees, workers' compensation judges and  
16 executive exempt employees, as provided in Item (4) of  
17 Subsection A, the appropriation is reduced to four million two  
18 hundred ninety-two thousand two hundred dollars (\$4,292,200),  
19 and the salary increase is reduced to a rate of one and one-  
20 half percent for employees earning an annual salary of less  
21 than forty thousand dollars (\$40,000) and one-half percent for  
22 employees earning an annual salary of forty thousand dollars  
23 (\$40,000) or higher; and

24 E. to the higher education department, for faculty  
25 and staff of two-year and four-year public post-secondary

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1 educational institutions, New Mexico military institute, New  
2 Mexico school for the blind and visually impaired and New  
3 Mexico school for the deaf, as provided in Item (5) of  
4 Subsection A, the appropriation is reduced to six million eight  
5 hundred sixty-six thousand five hundred dollars (\$6,866,500),  
6 and the salary increase is reduced to a rate of one and one-  
7 half percent for employees earning an annual salary of less  
8 than forty thousand dollars (\$40,000) and one-half percent for  
9 employees earning an annual salary of forty thousand dollars  
10 (\$40,000) or higher."

11 SECTION 12. A new section of the General Appropriation  
12 Act of 2020 is enacted to read:

13 "[NEW MATERIAL] SPECIAL TRANSPORTATION APPROPRIATION  
14 REDUCTION--SECTION 9.--The general fund appropriation in Item  
15 (1) of Section 9 of the General Appropriation Act of 2020 to  
16 the department of transportation is reduced by forty-five  
17 million dollars (\$45,000,000)."

18 SECTION 13. A new section of the General Appropriation  
19 Act of 2020 is enacted to read:

20 "[NEW MATERIAL] FUND TRANSFER REDUCTIONS--SECTION 10.--The  
21 general fund appropriation to the department of finance and  
22 administration to the early childhood endowment fund in fiscal  
23 year 2021 in Item (1) of Section 10 of the General  
24 Appropriation Act of 2020 shall be made to the early childhood  
25 education and care fund and is reduced by twenty million

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1 dollars (\$20,000,000)."

2 SECTION 14. A new section of the General Appropriation  
3 Act of 2020 is enacted to read:

4 "[NEW MATERIAL] ALLOCATION OF FEDERAL STIMULUS MONEY.--The  
5 state of New Mexico, including political subdivisions of the  
6 state, did not anticipate expenditures for the operation of  
7 government in budgets for fiscal year 2020 or fiscal year 2021  
8 to respond to the coronavirus disease 2019 public health  
9 emergency. Of the money available at the time of this 2020 act  
10 from the federal Coronavirus Aid, Relief, and Economic Security  
11 Act state and local relief fund allocation to the state of New  
12 Mexico:

13 A. one hundred thirty million dollars  
14 (\$130,000,000) shall be used for necessary expenditures  
15 incurred due to the coronavirus disease 2019 public health  
16 emergency, including reimbursing agencies for eligible  
17 expenditures in fiscal year 2020 and ongoing public health  
18 emergency needs in fiscal year 2021;

19 B. one hundred fifty million dollars (\$150,000,000)  
20 shall be allocated by the department of finance and  
21 administration to cities and counties with a population of less  
22 than five hundred thousand residents for necessary expenditures  
23 responding to the public health emergency such as public  
24 safety, health and other government expenditures necessary for  
25 mitigating the effects, including secondary effects, of the

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1 public health emergency in fiscal year 2021, including  
2 reimbursing unforeseen expenditures in fiscal year 2020;

3 C. in addition to the amounts in Subsection B of  
4 this section, the department of finance and administration  
5 shall allocate an additional fifteen million dollars  
6 (\$15,000,000) to the counties of Cibola, McKinley and San Juan,  
7 and municipalities within those counties, for the same purposes  
8 as set out in Subsection B of this section due to the  
9 extraordinary impact of the public health emergency, and  
10 associated unforeseen costs, in those jurisdictions;

11 D. in addition to the amounts in Subsection B of  
12 this section, the department of finance and administration  
13 shall allocate an additional twenty-three million dollars  
14 (\$23,000,000) for the governments of Indian nations, pueblos or  
15 tribes for the same purposes as set out in Subsection B of this  
16 section due to the extraordinary impact of the public health  
17 emergency, and associated unforeseen costs, in those  
18 jurisdictions;

19 E. seven hundred fifty million dollars  
20 (\$750,000,000) shall be transferred to the appropriation  
21 account of the general fund for expenditure in fiscal year 2021  
22 on expenditures reasonably necessary for the operation of  
23 government, including:

24 (1) necessary expenditures within state  
25 agencies, public schools and higher education to comply with

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1 the public health orders, including sanitation, alternative  
2 work and service delivery practices, and secondary effects to  
3 operations caused by the coronavirus disease 2019 public health  
4 emergency;

5 (2) public health, public health facilities,  
6 public safety, adult and juvenile corrections, human services,  
7 other non-medicaid health and behavioral health expenditures to  
8 comply with public health orders; and

9 (3) expenditures for public and higher  
10 education to deliver educational services, including  
11 facilitating social distancing and mitigating lost learning,  
12 and to facilitate economic support for businesses in New Mexico  
13 to have a skilled workforce; and

14 F. contingent on certification by the secretary of  
15 finance and administration of notice by the federal government  
16 disallowing the use of funds in the manner provided in  
17 Subsection E of this section, the department of finance and  
18 administration, public education department and higher  
19 education department shall specifically account for those  
20 expenses in Subsection E of this section in agency budgets,  
21 local education agency budgets and institutions of higher  
22 education budgets and account for the portion of the general  
23 fund allotment using the federal Coronavirus Aid, Relief, and  
24 Economic Security Act state relief fund instead."

25 SECTION 15. A new section of the General Appropriation

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1 Act of 2020 is enacted to read:

2 "[NEW MATERIAL] TAX STABILIZATION RESERVE--TRANSFER.--

3 Pursuant to Subsection E of Section 6-4-2.2 NMSA 1978, money in  
4 the tax stabilization reserve may be transferred as follows:

5 A. if, after accounting for all transfers to the  
6 general fund authorized by the General Appropriation Act of  
7 2020, including transfers from the general fund operating  
8 reserve and the appropriation contingency fund, revenue and  
9 transfers in the general fund at the end of fiscal year 2020  
10 are insufficient to meet appropriations, the governor, with  
11 state board of finance approval, may transfer to the  
12 appropriation account of the general fund the amount necessary  
13 to meet that fiscal year's obligations from the tax  
14 stabilization reserve;

15 B. if, after accounting for all transfers to the  
16 general fund authorized by the General Appropriation Act of  
17 2020, including transfers from the general fund operating  
18 reserve and the appropriation contingency fund, revenue and  
19 transfers in the general fund at the end of fiscal year 2021  
20 are insufficient to meet appropriations, the governor, with  
21 state board of finance approval, may transfer to the  
22 appropriation account of the general fund the amount necessary  
23 to meet that fiscal year's obligations from the tax  
24 stabilization reserve; provided that the total transferred  
25 pursuant to this subsection shall not exceed seven hundred

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1 fifty million dollars (\$750,000,000); and

2 C. if the department of finance and administration  
3 certifies to the state board of finance that a portion or all  
4 of federal Coronavirus Aid, Relief, and Economic Security Act  
5 funds cannot be used, as provided for in Subsection E of  
6 Section 14 of this 2020 act, and if revenue and transfers to  
7 the general fund at the end of fiscal year 2021 are  
8 insufficient to meet appropriations, the governor, with the  
9 approval of the state board of finance, may transfer to the  
10 appropriation account of the general fund the amount necessary  
11 to meet that fiscal year's obligations from the tax  
12 stabilization reserve; provided that no more than seven hundred  
13 fifty million dollars (\$750,000,000) shall be transferred; and  
14 provided further that if any federal funds received by the  
15 state may be used to fund appropriations and transfers made  
16 pursuant to the General Appropriation Act of 2020 or this 2020  
17 act, the transfer from the tax stabilization reserve made  
18 pursuant to this subsection shall be reduced by that amount of  
19 federal funds received."

20 SECTION 16. A new section of the General Appropriation  
21 Act of 2020 is enacted to read:

22 "[NEW MATERIAL] TOBACCO SETTLEMENT PERMANENT FUND--  
23 TRANSFER FOR THE MEDICAL ASSISTANCE PROGRAM.--Fifty percent of  
24 the fiscal year 2021 distribution to the state pursuant to the  
25 master settlement agreement entered into between tobacco

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1 product manufacturers and various states, including New Mexico,  
2 and executed November 23, 1998, shall be distributed to the  
3 tobacco settlement program fund; provided that this  
4 distribution is in addition to the annual distribution from the  
5 tobacco settlement permanent fund to the tobacco settlement  
6 program fund."

7 SECTION 17. A new section of the General Appropriation  
8 Act of 2020 is enacted to read:

9 "[NEW MATERIAL] DEPARTMENT OF FINANCE AND ADMINISTRATION--  
10 AUTHORITY TO REQUIRE ADDITIONAL BUDGET DECREASES.--

11 A. During fiscal year 2021, the department of  
12 finance and administration shall regularly consult with the  
13 legislative finance committee staff to compare revenue  
14 collections with the revenue estimate. If a general fund  
15 consensus revenue forecast projects that revenues and transfers  
16 to the general fund, including all transfers authorized  
17 pursuant to this 2020 act, will be insufficient to meet general  
18 fund appropriations for fiscal year 2021, general fund  
19 allotments shall be reduced as follows in the amount necessary  
20 to meet general fund appropriations for that fiscal year;  
21 provided that no allotment shall be reduced by more than two  
22 percent:

23 (1) the department of finance and  
24 administration, after review and an opportunity to comment by  
25 the legislative finance committee, shall reduce general fund

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1 allotments to each agency, program and other recipient that  
2 receives a general fund appropriation pursuant to Subsection C  
3 of Section 4 of the General Appropriation Act of 2020; provided  
4 that each agency shall be reduced by the same percentage;

5 (2) the administrative office of the courts  
6 shall reduce general fund allotments to each judicial agency,  
7 program and other recipient that receives a general fund  
8 appropriation pursuant to Subsection B of Section 4 of the  
9 General Appropriation Act of 2020; and

10 (3) the New Mexico legislative council shall  
11 reduce general fund allotments to each legislative agency,  
12 program and other recipient that receives a general fund  
13 appropriation pursuant to Laws 2020, Chapter 1, Sections 3 and  
14 5 through 8.

15 B. The department of finance and administration  
16 shall provide guidance to each agency provided for in Paragraph  
17 (1) of Subsection A of this section to assist the agency in  
18 targeting program reductions that will minimize the impact of  
19 the reductions on direct services provided by the agency.

20 C. As used in this section, "general fund consensus  
21 revenue forecast" means the revenue estimates prepared by the  
22 career economists of the department of finance and  
23 administration, the taxation and revenue department, the  
24 department of transportation and the legislative finance  
25 committee."

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1           SECTION 18. A new section of the General Appropriation  
2 Act of 2020 is enacted to read:

3           "[NEW MATERIAL] OPERATING BUDGETS AND ALLOTMENTS REDUCED  
4 TO COMPLY--OTHER REDUCTIONS TO CONFORM--OVER-ALLOTMENTS--  
5 DEPARTMENT OF FINANCE AND ADMINISTRATION.--

6           A. The department of finance and administration  
7 shall reduce fiscal year 2021 operating budgets and adjust  
8 allotments to comply with the provisions of this 2020 act and  
9 may reduce appropriations from other state funds, internal  
10 service or interagency transfers and federal funds as necessary  
11 to match the general fund reductions in the fiscal year 2021  
12 operating budgets. The legislative finance committee shall  
13 review the adjusted operating budgets no later than August 1,  
14 2020.

15           B. If, in Sections 1 through 15 of this 2020 act, a  
16 general fund appropriation or budget is reduced and funds in  
17 excess of the amount of the reduced appropriation or budget  
18 have already been allotted to the state agency receiving the  
19 appropriation, the department of finance and administration may  
20 reduce any other general fund allotment to the state agency in  
21 order to recoup the over-allotment of the reduced appropriation  
22 or budget. In the case of an appropriation made to one state  
23 agency but disbursed or transferred to another state agency,  
24 the department of finance and administration may reduce any  
25 other general fund allotment to the agency to which the

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1 appropriation was disbursed or transferred in order to recoup  
2 the over-allotment of the reduced appropriation or budget. The  
3 authority provided in this section is additional to any other  
4 power the department of finance and administration has to  
5 remedy over-allotments, and the grant of authority in this  
6 section shall not be deemed to be a legislative determination  
7 that the department of finance and administration does not  
8 otherwise have the authority provided in this section.

9 C. As used in this section, "state agency" means  
10 any department, institution, board, bureau, commission,  
11 district or committee of the government of the state and means  
12 every office or officer of any of the above."

13 SECTION 19. SPECIAL SESSION APPROPRIATION.--

14 A. The following amounts are appropriated from the  
15 legislative cash balances for expenditure in fiscal years 2020  
16 and 2021 for the following expenses of the first special  
17 session of the fifty-fourth legislature:

18 (1) for the expense of the house of  
19 representatives, one hundred twenty-four thousand dollars  
20 (\$124,000) to be disbursed on vouchers signed by the speaker  
21 and the chief clerk of the house of representatives or the  
22 chief clerk's designee;

23 (2) for the expense of the senate, one hundred  
24 six thousand five hundred dollars (\$106,500) to be disbursed on  
25 vouchers signed by the chair of the committees' committee and

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1 the chief clerk of the senate or the chief clerk's designee;  
2 and

3 (3) for the expense of the legislative council  
4 service, forty thousand dollars (\$40,000) to be disbursed on  
5 vouchers signed by the director of the legislative council  
6 service or the director's designee to reimburse the department  
7 of public safety for providing security and protection for the  
8 legislature pursuant to Section 29-2-27 NMSA 1978.

9 B. Following adjournment of the first special  
10 session of the fifty-fourth legislature, expenditures  
11 authorized in this section shall be disbursed on vouchers  
12 signed by the director of the legislative council service or  
13 the director's designee.

14 SECTION 20. TEMPORARY PROVISION--EXTEND CENSUS  
15 APPROPRIATION--GENERAL APPROPRIATION ACT OF 2019.--The time of  
16 expenditure for the general fund appropriation to the  
17 department of finance and administration for planning to  
18 support local government complete count efforts and training  
19 for the 2020 census in Item (37) of Section 5 of the General  
20 Appropriation Act of 2019 is extended through fiscal year 2021.

21 SECTION 21. TEMPORARY PROVISION--STATE EQUALIZATION  
22 GUARANTEE DISTRIBUTION REVERSION--GENERAL APPROPRIATION ACT OF  
23 2019.--Any unexpended balances in the state equalization  
24 guarantee distribution remaining at the end of fiscal year 2020  
25 made from the general fund to Item (1) of Subsection K of

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1 Section 4 of the General Appropriation Act of 2019 shall not  
2 revert to the general fund but shall instead revert to the  
3 state-support reserve fund.

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