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SENATE BILL 689

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

MANNY M ARAGON

AN ACT

RELATING TO STATE BUDGETS; PROVIDING FOR REDUCTION OF STATE  
BUDGETS DURING FISCAL YEAR 1996 UNDER CERTAIN CONDITIONS;  
IMPOSING GUIDELINES; DECLARING AN EMERGENCY.

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

Section 1. AUTHORITY FOR THE GOVERNOR TO REDUCE EXECUTIVE  
BRANCH BUDGETS. --If the governor finds that revenues and  
transfers to the general fund in fiscal year 1996, excluding  
transfers to the general fund operating reserve, the  
appropriation contingency fund or the state support reserve  
fund, are not sufficient to meet fiscal year 1996  
appropriations, then, pursuant to the guidelines specified in  
Section 7 of this act, he is authorized to:

A. reduce the recurring general fund portion of the  
budgets of the following agencies by the specified amounts:

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1 (1) the taxation and revenue department by one  
2 million two hundred twelve thousand seven hundred dollars  
3 (\$1, 212, 700);

4 (2) the state investment council by twenty-two  
5 thousand dollars (\$22, 000);

6 (3) the department of finance and  
7 administration by two hundred eighty-four thousand one hundred  
8 dollars (\$284, 100);

9 (4) the special appropriation to the department  
10 of finance and administration for DWI grants by one hundred  
11 forty-eight thousand five hundred dollars (\$148, 500);

12 (5) the special appropriation to the department  
13 of finance and administration for the council of governments by  
14 eight thousand four hundred dollars (\$8, 400);

15 (6) the commission on information and  
16 communication management by sixty-eight thousand nine hundred  
17 dollars (\$68, 900);

18 (7) the general services department by two  
19 hundred seventy-one thousand eight hundred dollars (\$271, 800);

20 (8) the criminal and juvenile justice  
21 coordinating council by seventy thousand dollars (\$70, 000);

22 (9) the office of the governor by eighty-five  
23 thousand dollars (\$85, 000);

24 (10) the office of the lieutenant governor by  
25 eleven thousand three hundred dollars (\$11, 300);

1 (11) the state commission of public records by  
2 forty-two thousand five hundred dollars (\$42,500);

3 (12) the personnel board by one hundred  
4 thirteen thousand one hundred dollars (\$113,100);

5 (13) the public employee labor relations board  
6 by eight thousand one hundred dollars (\$8,100);

7 (14) the border authority by seven thousand  
8 three hundred dollars (\$7,300);

9 (15) the tourism department by one hundred  
10 thirty-nine thousand one hundred dollars (\$139,100);

11 (16) the economic development department by  
12 three hundred sixteen thousand six hundred dollars (\$316,600);

13 (17) the regulation and licensing department by  
14 two hundred ninety-two thousand two hundred dollars (\$292,200);

15 (18) the New Mexico apple commission by two  
16 thousand two hundred dollars (\$2,200);

17 (19) the office of cultural affairs by four  
18 hundred ninety-two thousand eight hundred dollars (\$492,800);

19 (20) the New Mexico livestock board by twenty-  
20 four thousand seven hundred dollars (\$24,700);

21 (21) the department of game and fish by ten  
22 thousand five hundred dollars (\$10,500);

23 (22) the endangered species program by five  
24 thousand eight hundred dollars (\$5,800);

25 (23) the energy, minerals and natural resources

1 department by five hundred seventy-two thousand four hundred  
2 dollars (\$572, 400);

3 (24) the state engineer by three hundred  
4 seventeen thousand eight hundred dollars (\$317, 800);

5 (25) the New Mexico public utility commission  
6 by one hundred nineteen thousand seven hundred dollars  
7 (\$119, 700);

8 (26) the organic commodity commission by one  
9 thousand eight hundred dollars (\$1, 800);

10 (27) the commission on the status of women by  
11 eleven thousand two hundred dollars (\$11, 200);

12 (28) the commission for deaf and hard-of-  
13 hearing persons by ten thousand four hundred dollars (\$10, 400);

14 (29) the Martin Luther King, Jr. commission by  
15 five thousand seven hundred dollars (\$5, 700);

16 (30) the New Mexico office of Indian affairs by  
17 thirty-one thousand eight hundred dollars (\$31, 800);

18 (31) the labor department by fifty-two thousand  
19 three hundred dollars (\$52, 300);

20 (32) the governor's committee on concerns of  
21 the handicapped by fifteen thousand dollars (\$15, 000);

22 (33) the department of environment by three  
23 hundred eighty-one thousand one hundred dollars (\$381, 100);

24 (34) the office of natural resources trustee by  
25 six thousand two hundred dollars (\$6, 200);

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1 (35) the New Mexico health policy commission by  
2 fifty-eight thousand two hundred dollars (\$58,200);

3 (36) the New Mexico veterans' service  
4 commission by forty thousand seven hundred dollars (\$40,700);

5 (37) the juvenile parole board by twenty-four  
6 thousand one hundred dollars (\$24,100);

7 (38) the crime victims reparation commission by  
8 fifty thousand two hundred dollars (\$50,200);

9 (39) the department of public safety by one  
10 million three hundred sixty-three thousand nine hundred dollars  
11 (\$1,363,900);

12 (40) the state department of public education  
13 by two hundred forty-five thousand four hundred dollars  
14 (\$245,400);

15 (41) the special projects and apprenticeship  
16 programs of the state department of public education by one  
17 hundred fourteen thousand dollars (\$114,000);

18 (42) adult basic education by ninety thousand  
19 dollars (\$90,000); and

20 (43) the administration of the commission on  
21 higher education by thirty-four thousand six hundred dollars  
22 (\$34,600);

23 B. reduce the budget of public school support by the  
24 amount of the fiscal year 1996 appropriation that remains  
25 undistributed after the December 1 count is finalized;

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1                   C. transfer eight hundred thousand dollars  
2 (\$800,000) of the cash balance in the motor pool account of the  
3 general services department to the general fund appropriation  
4 account;

5                   D. reduce the budget of each executive agency by the  
6 amount saved by that agency due to rate reductions implemented  
7 by the general services department; provided that the total  
8 reductions in budgets under this subsection shall equal one  
9 million one hundred forty thousand dollars (\$1,140,000); and

10                   E. transfer one million two hundred fifty-four  
11 thousand dollars (\$1,254,000) of the excess cash balances in the  
12 account of the department of health to the general fund  
13 appropriation account.

14                   Section 2. AUTHORITY FOR ELECTED STATE OFFICIALS TO REDUCE  
15 BUDGETS. -- Upon notification by the governor that revenues and  
16 transfers to the general fund in fiscal year 1996, excluding  
17 transfers to the general fund operating reserve, the  
18 appropriation contingency fund or the state support reserve  
19 fund, are not sufficient to meet fiscal year 1996  
20 appropriations, then, pursuant to Section 7 of this act, each of  
21 the following elected officials is authorized to reduce budgets  
22 for fiscal year 1996 by the indicated amounts:

23                   A. the attorney general by two hundred ninety  
24 thousand four hundred dollars (\$290,400);

25                   B. the state auditor by forty-four thousand three

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1 hundred dollars (\$44,300);

2 C. the secretary of state by sixty-one thousand one  
3 hundred dollars (\$61,100);

4 D. the state treasurer by seventy-eight thousand one  
5 hundred dollars (\$78,100); and

6 E. the commissioner of public lands by two hundred  
7 fifty thousand three hundred dollars (\$250,300).

8 Section 3. AUTHORITY TO REDUCE JUDICIAL BRANCH BUDGETS. --  
9 Upon notification by the governor that revenues and transfers to  
10 the general fund in fiscal year 1996, excluding transfers to the  
11 general fund operating reserve, the appropriation contingency  
12 fund or the state support reserve fund, are not sufficient to  
13 meet fiscal year 1996 appropriations, then, pursuant to Section  
14 7 of this act, the chief justice of the supreme court is  
15 authorized to reduce by two million four hundred eighty-three  
16 thousand five hundred dollars (\$2,483,500) the judicial branch  
17 budgets for fiscal year 1996. For purposes of this section,  
18 judicial branch agencies are the supreme court, the  
19 administrative office of the courts, the magistrate courts, the  
20 court of appeals, the district courts, the Bernalillo county  
21 metropolitan court, the supreme court law library, the supreme  
22 court building commission, the judicial standards commission,  
23 the New Mexico compilation commission, district attorneys and  
24 the administrative office of the district attorneys.

25 Section 4. AUTHORITY TO REDUCE LEGISLATIVE BRANCH

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1 BUDGETS. ---Upon notification by the governor that revenues and  
2 transfers to the general fund in fiscal year 1996, excluding  
3 transfers to the general fund operating reserve, the  
4 appropriation contingency fund or the state support reserve  
5 fund, are not sufficient to meet fiscal year 1996  
6 appropriations, then, pursuant to Section 7 of this act, the New  
7 Mexico legislative council is authorized to reduce legislative  
8 budgets for fiscal year 1996 by two hundred ninety-six thousand  
9 dollars (\$296,000).

10 Section 5. AUTHORITY TO REDUCE THE BUDGETS OF POST-  
11 SECONDARY EDUCATIONAL INSTITUTIONS. --Upon notification by the  
12 governor that revenues and transfers to the general fund in  
13 fiscal year 1996, excluding transfers to the general fund  
14 operating reserve, the appropriation contingency fund or the  
15 state support reserve fund, are not sufficient to meet fiscal  
16 year 1996 appropriations, then, pursuant to Section 7 of this  
17 act, the governing board of each of the following institutions  
18 is authorized to reduce budgets by the specified amount:

19 A. the university of New Mexico by three million six  
20 hundred thirty-three thousand four hundred dollars (\$3,633,400);

21 B. New Mexico state university by two million three  
22 hundred seventy-five thousand two hundred dollars (\$2,375,200);

23 C. New Mexico highlands university by three hundred  
24 thirty-nine thousand two hundred dollars (\$339,200);

25 D. western New Mexico university by two hundred



1 forty-one thousand five hundred dollars (\$241, 500);

2 E. eastern New Mexico university by five hundred  
3 fifty-four thousand eight hundred dollars (\$554, 800);

4 F. New Mexico institute of mining and technology by  
5 four hundred thirty-nine thousand three hundred dollars  
6 (\$439, 300);

7 G. northern New Mexico state school by one hundred  
8 sixteen thousand dollars (\$116, 000);

9 H. Santa Fe community college by one hundred ten  
10 thousand seven hundred dollars (\$110, 700);

11 I. Albuquerque technical-vocational institute by  
12 five hundred thirty-nine thousand three hundred dollars  
13 (\$539, 300);

14 J. Luna vocational-technical institute by one  
15 hundred five thousand nine hundred dollars (\$105, 900);

16 K. Mesa technical college by thirty-seven thousand  
17 one hundred dollars (\$37, 100);

18 L. New Mexico junior college by eighty-six thousand  
19 five hundred dollars (\$86, 500);

20 M. San Juan college by one hundred eighteen thousand  
21 six hundred dollars (\$118, 600);

22 N. Clovis community college by one hundred twenty-  
23 three thousand eight hundred dollars (\$123, 800); and

24 O. New Mexico military institute by twenty-five  
25 thousand eight hundred dollars (\$25, 800).

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1           Section 6.   BUDGET REDUCTION GUIDELINES. -- In making a  
2 budget reduction authorized by this act, the person making the  
3 reduction shall:

4           A.   avoid adverse effects upon revenue collection  
5 activities;

6           B.   identify any potential losses of federal matching  
7 funds and avoid identified losses;

8           C.   avoid the elimination of filled positions and, to  
9 the maximum extent practicable, avoid layoffs, reductions in  
10 force, furloughs or terminations of employees; and

11           D.   protect the health, safety and welfare of New  
12 Mexicans.

13           Section 7.   BUDGET ADJUSTMENTS. -- In order to effectuate a  
14 budget reduction authorized by this act an agency may request a  
15 budget adjustment pursuant to Sections 6-3-23 through 6-3-25  
16 NMSA 1978 notwithstanding any limitations in the General  
17 Appropriation Act of 1995.

18           Section 8.   REPORTS. -- By June 30, 1996, each person  
19 authorized to reduce budgets under this act shall submit a  
20 report to the legislative finance committee showing:

21           A.   the amount, by organizational unit and category,  
22 of each budget reduction made pursuant to this act; and

23           B.   a detailed explanation of how the guidelines in  
24 Section 7 of this act were followed.

25           Section 9.   EMERGENCY. -- It is necessary for the public

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1 peace, health and safety that this act take effect immediately.

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1 FORTY- SECOND LEGI SLATURE  
2 SECOND SESSI ON, 1996  
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5 JANUARY 31, 1996  
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7 Mr. Presi dent:  
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9 Your COMMI TTEES' COMMI TTEE, to whom has been referred  
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11 SENATE BILL 689  
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13 has had it under consideration and finds same to be GERMANE, PURSUANT  
14 TO CONSTITUTIONAL PROVISIONS, and thence referred to the FINANCE  
15 COMMI TTEE.  
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17 Respectfully submi tted,  
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23 SENATOR MANNY M. ARAGON, Chai rman  
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Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

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1 FORTY- SECOND LEGI SLATURE  
2 SECOND SESSI ON, 1996  
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5 February 12, 1996  
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7 Mr. President:  
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9 Your FINANCE COMMI TTEE, to whom has been referred  
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11 SENATE BILL 689  
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13 has had it under consideration and reports same with recommendation that  
14 it DO PASS.  
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16 Respectfully submit ted,  
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21 Ben D. Altami rano, Chair man  
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25 Adopted \_\_\_\_\_

(Chi ef Clerk)

Not Adopted \_\_\_\_\_

(Chi ef Clerk)

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Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Doni sthrope, Duran, Ingle, Kidd, Kysar

Absent: None

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