

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 15

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2009**

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO THE GENERAL APPROPRIATION ACT OF 2009; ENACTING NEW SECTIONS TO REDUCE CERTAIN GENERAL FUND APPROPRIATIONS FOR FISCAL YEAR 2010 AND TO MAKE APPROPRIATIONS.

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

Section 1. A new section of the General Appropriation Act of 2009 is enacted to read:

"[NEW MATERIAL] APPROPRIATION REDUCTIONS.--The amounts set out under the general fund column in Section 4 of the General Appropriation Act of 2009 are reduced as follows rounded to the nearest one hundred dollars (\$100):

A. in Subsection A, Legislative, legislative building services is reduced by six and eight-tenths percent;

B. in Subsection B, Judicial, all judicial agencies, district courts and district attorneys are reduced by

.179759.1

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 four and eight-tenths percent except for the following:

2 (1) the New Mexico compilation commission,  
3 the judicial standards commission and the administrative office  
4 of the district attorneys are reduced by six and eight-tenths  
5 percent; and

6 (2) the court of appeals, the supreme court  
7 building commission and the second judicial district court are  
8 reduced by two and eight-tenths percent;

9 C. in Subsection C, General Control, all agencies  
10 funded by the general fund are reduced by six and eight-tenths  
11 percent except for the following:

12 (1) the attorney general is reduced by two and  
13 eight-tenths percent;

14 (2) the state auditor, the public defender  
15 department and the secretary of state are reduced by four and  
16 eight-tenths percent;

17 (3) the department of finance and  
18 administration, except agency code 344, is reduced by five and  
19 eight-tenths percent; and

20 (4) in the department of finance and  
21 administration special appropriations:

22 (a) the weatherization category in the  
23 department of finance and administration is reduced by one  
24 hundred percent;

25 (b) items (l) through (s), (u) through

.179759.1

1 (x), (z) and (aa) are reduced by six and eight-tenths percent;  
2 and

3 (c) all other items are not reduced;

4 D. in Subsection D, Commerce and Industry, all  
5 agencies funded by the general fund are reduced by six and  
6 eight-tenths percent;

7 E. in Subsection E, Agriculture, Energy and Natural  
8 Resources, all agencies funded by the general fund are reduced  
9 by six and eight-tenths percent;

10 F. in Subsection F, Health, Hospitals and Human  
11 Services, all agencies funded by the general fund are reduced  
12 by six and eight-tenths percent except for the following:

13 (1) the commission for the blind and the  
14 vocational rehabilitation division of the public education  
15 department are reduced by two and eight-tenths percent;

16 (2) the developmental disabilities planning  
17 council is reduced by four and eight-tenths percent;

18 (3) the veterans' services department and the  
19 children, youth and families department are reduced by five and  
20 eight-tenths percent;

21 (4) the department of health is reduced as  
22 follows:

23 (a) all programs except the  
24 developmental disabilities support program are reduced by five  
25 and eight-tenths percent; and

.179759.1

1 (b) the other financing uses category in  
2 the developmental disabilities support program is reduced by  
3 two million dollars (\$2,000,000), which will be offset by two  
4 million dollars (\$2,000,000) from federal funds;

5 (5) the workforce solutions department is  
6 reduced by twenty-seven and five-tenths percent; and

7 (6) the human services department is reduced  
8 as follows:

9 (a) the behavioral health services  
10 program, the income support program, the child support  
11 enforcement program and program support are reduced by six and  
12 eight-tenths percent; and

13 (b) the other category in the medical  
14 assistance program is reduced by fourteen million dollars  
15 (\$14,000,000), which will be offset by twelve million dollars  
16 (\$12,000,000) from federal funds;

17 G. in Subsection G, Public Safety, all agencies are  
18 reduced by six and eight-tenths percent except for the  
19 following:

20 (1) the parole board and juvenile public  
21 safety advisory board are reduced by two and eight-tenths  
22 percent; and

23 (2) the corrections department and the  
24 department of public safety are reduced by five and eight-  
25 tenths percent;

underscored material = new  
[bracketed material] = delete

1           H. in Subsection I, Other Education, reductions are  
2 as follows:

3                   (1) the public education department, except  
4 for agency code 925, is reduced by six and three-tenths  
5 percent; and

6                   (2) apprenticeship assistance, the regional  
7 education cooperatives and public education department special  
8 appropriations are reduced by eight and five-tenths percent;

9           I. in Subsection J, Higher Education, reductions  
10 are as follows:

11                   (1) the higher education department is reduced  
12 by six and eight-tenths percent; and

13                   (2) every public post-secondary educational  
14 institution and special school is reduced by six percent in its  
15 instruction and general purposes category and eight and five-  
16 tenths percent in every other category, including research and  
17 public service projects, with the institution determining  
18 reductions in each item of the category; and

19           J. in Subsection K, Public School Support,  
20 reductions are as follows:

21                   (1) the state equalization guarantee  
22 distribution is reduced by six percent;

23                   (2) the transportation distribution, including  
24 operational, school-owned bus replacements and rental fees; the  
25 supplemental distribution, including out-of-state tuition and

.179759.1

underscored material = new  
[bracketed material] = delete

1 emergency supplemental; the instructional material fund; dual  
2 credit instructional materials; the Indian education fund; and  
3 the schools in need of improvement fund are reduced by eight  
4 and five-tenths percent; and

5 (3) the educational technology fund is reduced  
6 by one hundred percent."

7 Section 2. A new section of the General Appropriation Act  
8 of 2009 is enacted to read:

9 "[NEW MATERIAL] APPROPRIATION REDUCTION--SECTION 5.--The  
10 appropriation in Section 5 of the General Appropriation Act of  
11 2009 to the department of information technology for the New  
12 Mexico computing applications center is reduced by one million  
13 five hundred thousand dollars (\$1,500,000)."

14 Section 3. A new section of the General Appropriation Act  
15 of 2009 is enacted to read:

16 "[NEW MATERIAL] FEDERAL STIMULUS FUNDS--AMERICAN RECOVERY  
17 AND REINVESTMENT ACT OF 2009.--

18 A. Of the amount remaining from the public safety  
19 and other government services allocation from the American  
20 Recovery and Reinvestment Act of 2009, twenty-five million  
21 dollars (\$25,000,000) is allocated to the appropriation account  
22 of the general fund for fiscal year 2010.

23 B. Of the ninety-one million dollars (\$91,000,000)  
24 remaining from the American Recovery and Reinvestment Act of  
25 2009 allocation to the state through the education fund of the

.179759.1

underscored material = new  
[bracketed material] = delete

1 state fiscal stabilization fund, forty-five million five  
2 hundred thousand dollars (\$45,500,000) shall be distributed to  
3 school districts through the state equalization guarantee  
4 distribution for fiscal year 2010."

5 Section 4. A new section of the General Appropriation Act  
6 of 2009 is enacted to read:

7 "[NEW MATERIAL] TOBACCO SETTLEMENT PROGRAM FUND--  
8 APPROPRIATION TO MEDICAID.--Four million dollars (\$4,000,000)  
9 is appropriated from the tobacco settlement program fund to the  
10 human services department for expenditure in fiscal year 2010  
11 for the medical assistance program. Any unexpended or  
12 unencumbered balance remaining at the end of fiscal year 2010  
13 shall revert to the tobacco settlement program fund."

14 Section 5. A new section of the General Appropriation Act  
15 of 2009 is enacted to read:

16 "[NEW MATERIAL] PUBLIC SCHOOLS--EMERGENCY SUPPLEMENTAL.--  
17 Three million dollars (\$3,000,000) is appropriated from the  
18 general fund to the emergency supplemental distribution of the  
19 public school fund for expenditure in fiscal year 2010 by the  
20 public education department to make emergency distributions to  
21 school districts or state-chartered charter schools in  
22 financial need, but no money shall be distributed to any school  
23 district or state-chartered charter school having cash and  
24 invested reserves, or other resources or any combination  
25 thereof, equaling five percent or more of the school district's

.179759.1

underscored material = new  
[bracketed material] = delete

1 or state-chartered charter school's operational budget. Any  
2 unexpended or unencumbered balance remaining at the end of  
3 fiscal year 2010 shall revert to the general fund."

4 - 8 -  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

.179759.1