

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

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

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

SECTION 1. LEGISLATIVE BRANCH APPROPRIATION

REDUCTIONS.--The appropriations made from the general fund in
Laws 2020, Chapter 1, Sections 3 and 5 through 8 are reduced
by four percent rounded to the nearest one hundred dollars
(\$100). To meet the reductions required by this section and

1 maintain government efficiency, the New Mexico legislative
2 council shall determine the amount of reduction applied to
3 each legislative agency and purpose and may transfer amounts
4 from any of the appropriations in Laws 2020, Chapter 1 to any
5 other legislative expenditure where they may be needed.

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

8 "GENERAL FUND APPROPRIATION REDUCTIONS--SECTION 4.--

9 A. Except as otherwise provided in this section,
10 all amounts set out under the general fund column in Section
11 4 of the General Appropriation Act of 2020, except Subsection
12 K of Section 4 of that act, are each reduced by four percent
13 rounded to the nearest one hundred dollars (\$100).

14 B. The general fund appropriations to the human
15 services department for the medical assistance program and
16 the medicaid behavioral health program of the human services
17 department in Section 4 of the General Appropriation Act of
18 2020 are each reduced by three percent, rounded to the
19 nearest one hundred dollars (\$100).

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

23 D. The following general fund appropriations in
24 Section 4 of the General Appropriation Act of 2020 are
25 reduced by six percent, rounded to the nearest one hundred

1 dollars (\$100):

2 (1) appropriations to the department of
3 finance and administration for dues and membership fees or
4 special appropriations;

5 (2) appropriations to each institution of
6 higher education, except appropriations for instruction and
7 general purposes and appropriations to the New Mexico
8 department of agriculture, cooperative extension service and
9 agricultural experiment station, which shall be reduced as
10 provided for in Subsection A of this section;

11 (3) appropriations for the regional
12 education cooperatives; and

13 (4) appropriations to the public education
14 department for special appropriations.

15 E. To meet the reductions required by this section
16 and maintain government efficiency, each agency shall
17 determine the amount of reduction applied to each specific
18 program or purpose. The department of finance and
19 administration shall provide guidance to each agency provided
20 for in this section to assist the agency in targeting program
21 reductions that will minimize the impact of the reductions on
22 direct services provided by the agency."

23 **SECTION 3.** A new section of the General Appropriation
24 Act of 2020 is enacted to read:

25 "ADDITIONAL APPROPRIATION REDUCTIONS AND

1 CHANGES--SECTION 4.--

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

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

9 ~~(2) the elections program of the secretary~~
10 ~~of state is reduced by five hundred thousand dollars~~
11 ~~(\$500,000);~~

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

15 (4) the economic development program of the
16 economic development department is reduced by five hundred
17 thousand dollars (\$500,000);

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

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

22 (7) the early childhood education and care
23 program of the early childhood education and care department
24 is reduced by three million three hundred thousand dollars
25 (\$3,300,000);

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

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

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

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

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

16 (13) program support of the human services
17 department is reduced by five hundred seventy-two thousand
18 six hundred dollars (\$572,600);

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

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

24 (16) the water protection program of the
25 department of environment is reduced by four hundred thousand

1 dollars (\$400,000);

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

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

8 (19) the law enforcement program of the
9 department of public safety is reduced by one million dollars
10 (\$1,000,000); and

11 (20) the opportunity scholarship program of
12 the higher education department is reduced by seven million
13 dollars (\$7,000,000).

14 B. Notwithstanding any other provision of the
15 General Appropriation Act of 2020, the college of
16 agriculture, consumer and environmental sciences of New
17 Mexico state university shall not transfer the staff position
18 and funding for the rodeo coach to the athletics department."

19 **SECTION 4.** A new section of the General Appropriation
20 Act of 2020 is enacted to read:

21 "REDUCTIONS ACCOUNTING FOR FEDERAL FUND
22 ALLOCATIONS--SECTION 4.--

23 A. In addition to the general fund reductions in
24 Sections 2, 3 and 5 of this 2020 act, to account for certain
25 funds received through the federal Coronavirus Aid, Relief,

1 and Economic Security Act, other state funds and federal
2 funds, the general fund appropriations in Section 4 of the
3 General Appropriation Act of 2020 to:

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

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

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

10 (4) the instruction and general purposes
11 appropriations to each higher education institution are
12 reduced by eighteen million seven hundred ninety-five
13 thousand four hundred dollars (\$18,795,400);

14 (5) the health sciences center of the
15 university of New Mexico for instruction and general purposes
16 is reduced by one million two hundred four thousand six
17 hundred dollars (\$1,204,600);

18 ~~(6) the public education department special~~
19 ~~appropriations in Subsection I are reduced by ten million~~
20 ~~dollars (\$10,000,000), in proportion to each special~~
21 ~~appropriation's share of total public education department~~
22 ~~special appropriations to reflect funding support from the~~
23 ~~governor's emergency education relief fund of the federal~~
24 ~~Coronavirus Aid, Relief, and Economic Security Act; and~~

25 (7) the state equalization guarantee

1 distribution provided in Item (1) of Subsection K is reduced
2 by forty-four million six hundred sixty-one thousand dollars
3 (\$44,661,000) to reflect funding support from the elementary
4 and secondary school emergency relief fund of the federal
5 Coronavirus Aid, Relief, and Economic Security Act.

6 B. To administer the reductions provided in
7 Paragraph (4) of Subsection A of this section, the department
8 of finance and administration shall reduce the general fund
9 allotment for instruction and general purposes appropriations
10 to each higher education public college and university by
11 thirty-three and one-half percent of the amount each
12 institution received pursuant to the federal Coronavirus Aid,
13 Relief, and Economic Security Act."

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

16 "ADDITIONAL PUBLIC EDUCATION AND PUBLIC SCHOOL SUPPORT
17 APPROPRIATION REDUCTIONS AND CHANGES--SECTION 4.--

18 A. In addition to the general fund reductions
19 provided in Section 4 of this 2020 act, the general fund
20 appropriation to the state equalization guarantee
21 distribution in Item (1) of Subsection K of the General
22 Appropriation Act of 2020 is reduced by one hundred forty-six
23 million one hundred ninety-eight thousand nine hundred
24 dollars (\$146,198,900).

25 B. As provided in Item (1) of Subsection K of the

1 General Appropriation Act of 2020, in lieu of the:

2 (1) six million dollars (\$6,000,000) for
3 elementary physical education programs, no additional funding
4 shall be included for elementary physical education programs;

5 (2) one hundred nineteen million eight
6 hundred ninety-five thousand nine hundred dollars
7 (\$119,895,900) for K-5 plus programs, seventy-nine million
8 eight hundred ninety-five thousand nine hundred dollars
9 (\$79,895,900) shall be included for K-5 plus programs;

10 (3) ten million dollars (\$10,000,000) to
11 provide evidence-based structured literacy interventions and
12 develop literacy collaborative models that lead to improved
13 reading and writing achievement of students in kindergarten
14 through second grade, eight million dollars (\$8,000,000)
15 shall be included to provide evidence-based structured
16 literacy interventions and develop literacy collaborative
17 models that lead to improved reading and writing achievement
18 of students in kindergarten through second grade;

19 (4) fifty-nine million one hundred eighty
20 thousand two hundred dollars (\$59,180,200) to provide an
21 average four percent salary increase to all licensed teachers
22 whose primary duty is classroom instruction, no additional
23 funding shall be included to provide salary increases for
24 licensed teachers whose primary duty is classroom
25 instruction, and the secretary of public education shall not

1 require that the operating budget of a school district or
2 charter school provide an average four percent salary
3 increase for licensed teachers whose primary duty is
4 classroom instruction; and

5 (5) thirty-three million four hundred forty-
6 seven thousand four hundred dollars (\$33,447,400) to provide
7 salary increases to all school personnel, other than licensed
8 teachers whose primary duty is classroom instruction, no
9 additional funding shall be included to provide salary
10 increases for school personnel, other than licensed teachers
11 whose primary duty is classroom instruction, and the
12 secretary of public education shall not require that the
13 operating budget of a school district or charter school
14 provide an average four percent salary increase for all
15 school personnel, other than licensed teachers whose primary
16 duty is classroom instruction.

17 C. The changes provided in Subsection B of this
18 section shall not be construed to require additional
19 reductions to the total general fund appropriation to the
20 state equalization guarantee distribution in Item (1) of
21 Subsection K of the General Appropriation Act of 2020.

22 D. The general fund appropriation to the state
23 equalization guarantee distribution includes sufficient
24 funding to provide an average one percent salary increase for
25 all school personnel, other than licensed school

1 administrators who are employed as licensed school
2 administrators and unlicensed school employees employed to
3 perform primarily district-wide management functions. School
4 districts and charter schools shall submit a plan to the
5 public education department detailing the implementation of
6 the salary increases.

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

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

21 G. The public education department shall work with
22 school districts and charter schools to prioritize additional
23 instructional time for all students through participation in
24 extended learning time programs authorized by Section
25 22-8-23.10 NMSA 1978 to recover instructional time that was

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

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

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

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

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

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

4 I. 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
7 a program unit value, the secretary of public education shall
8 adjust the preliminary unit value used to establish budgets
9 for the 2020-2021 school year by August 1, 2020, to account
10 for any changes to the state equalization guarantee
11 distribution. In adjusting the preliminary unit value in
12 August, the public education department shall consult with
13 the department of finance and administration, the legislative
14 finance committee and the legislative education study
15 committee.

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

1 schools affected by the court decision.

2 K. The appropriation from the general fund to the
3 transportation distribution provided in Item (2) of
4 Subsection K of Section 4 of the General Appropriation Act of
5 2020 is reduced by five million six hundred seven thousand
6 nine hundred dollars (\$5,607,900).

7 L. As provided in Item (2) of Subsection K of the
8 General Appropriation Act of 2020, in lieu of the one million
9 five hundred ninety-four thousand dollars (\$1,594,000) to
10 provide an average four percent salary increase for all
11 public school transportation personnel, no additional funding
12 shall be included to provide salary increases for public
13 school transportation personnel, and the secretary of public
14 education shall not require that the operating budget of a
15 school district or charter school provide an average four
16 percent salary increase for all public school transportation
17 personnel.

18 M. The change provided in Subsection L of this
19 section shall not be construed to require additional
20 reductions to the general fund appropriation to the
21 transportation distribution in Item (2) of Subsection K of
22 the General Appropriation Act of 2020.

23 N. A school district or charter school shall not
24 pay an increase of more than six percent for group health
25 insurance premium increases that take effect in fiscal year

1 2021.

2 O. The appropriations from the general fund to the
3 supplemental distribution, dual-credit instructional
4 materials, Indian education fund and standards-based
5 assessments in Subsection K of Section 4 of the General
6 Appropriation Act of 2020 are reduced by four million
7 fourteen thousand dollars (\$4,014,000), as determined by the
8 public education department.

9 P. The appropriations from the general fund to the
10 public education department special appropriations in
11 Subsection I of Section 4 of the General Appropriation Act of
12 2020 are reduced by three million four hundred fifteen
13 thousand nine hundred dollars (\$3,415,900) in proportion to
14 each appropriation's share of total public education
15 department special appropriations."

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

18 "APPROPRIATION INCREASES--SECTION 4.--The appropriations
19 in Section 4 of the General Appropriation Act of 2020 are
20 each increased by the following:

21 A. the internal service funds or interagency
22 transfers appropriation to the fiscal management and
23 oversight program of the department of finance and
24 administration in the other financing uses category is
25 increased by seventeen million dollars (\$17,000,000) from the

1 tobacco settlement program fund for medicaid programs; and

2 B. the internal service funds or interagency
3 transfers appropriations to the medical assistance program of
4 the human services department is increased by seventeen
5 million dollars (\$17,000,000) from the department of finance
6 and administration for medicaid programs."

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

9 "APPROPRIATION REDUCTIONS AND CHANGES--SECTION 5.--

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

12 (1) the general fund appropriation to the
13 administrative office of the courts to purchase and install
14 furniture and equipment and convert permanent and long-term
15 retention case files to digitization at magistrate courts in
16 Item (8) is reduced by five hundred thousand dollars
17 (\$500,000);

18 (2) the general fund appropriation to the
19 administrative office of the courts for a unified
20 appropriation for magistrate court security personnel in Item
21 (9) is reduced by two hundred thousand dollars (\$200,000);

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

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

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

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

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

17 (8) the general fund appropriation to the
18 general services department to purchase vehicles in Item (37)
19 is reduced by two million dollars (\$2,000,000);

20 (9) the general fund appropriation to the
21 department of information technology for the replacement or
22 upgrade of outdated information technology equipment and
23 software in Item (42) is reduced by one million dollars
24 (\$1,000,000);

25 (10) the general fund appropriation to the

1 economic development department for a twenty-year, statewide
2 economic development plan in Item (47) is reduced by three
3 hundred thousand dollars (\$300,000);

4 (11) the general fund appropriation to the
5 economic development department for economic development
6 projects in Cibola and McKinley counties in Item (48) is
7 reduced by one million five hundred thousand dollars
8 (\$1,500,000), including reductions of five hundred thousand
9 dollars (\$500,000) to the New Mexico institute of mining and
10 technology, five hundred thousand dollars (\$500,000) to New
11 Mexico state university and five hundred thousand dollars
12 (\$500,000) pursuant to the Local Economic Development Act;

13 ~~(12) the general fund appropriation to the~~
14 ~~economic development department for economic development~~
15 ~~projects pursuant to the Local Economic Development Act in~~
16 ~~Item (49) is reduced by five million dollars (\$5,000,000);~~

17 ~~(13) the general fund appropriation to the~~
18 ~~economic development department to the development training~~
19 ~~fund for the job training incentive program in Item (51) is~~
20 ~~reduced by one million dollars (\$1,000,000);~~

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

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

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

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

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

19 (19) the general fund appropriation to the
20 corrections department for hepatitis c treatment and planning
21 in Item (104) is reduced by three million dollars
22 (\$3,000,000);

23 (20) the general fund appropriation to the
24 department of public safety to purchase a robot for the New
25 Mexico state police bomb squad in Item (109) is reduced by

1 four hundred eleven thousand dollars (\$411,000);

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

6 (22) the general fund appropriation to the
7 homeland security and emergency management department for
8 border security, public health and communications, including
9 one hundred thousand dollars (\$100,000) for distribution to
10 law enforcement agencies in border counties, in Item (114) is
11 reduced by three hundred fifty thousand dollars (\$350,000);

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

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

20 ~~(25) the appropriation made from the public~~
21 ~~education reform fund to the public education department to~~
22 ~~develop culturally and linguistically appropriate~~
23 ~~instructional materials and curricula in Item (120) is~~
24 ~~reduced by eight million dollars (\$8,000,000);~~

25 (26) the appropriation made from the public

1 education reform fund to the public education department for
2 a school budget transparency website in Item (124) is reduced
3 by three million dollars (\$3,000,000);

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

11 ~~(28) the appropriation made from the public~~
12 ~~education reform fund to the public education department for~~
13 ~~a statewide special education convening in Item (129) is~~
14 ~~reduced by seven hundred fifty thousand dollars (\$750,000);~~

15 (29) the appropriation made from the public
16 education reform fund to the public education department to
17 place teachers in hard-to-staff schools and provide ongoing
18 support and development in Item (131) is reduced by one
19 million dollars (\$1,000,000);

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

24 (31) the general fund appropriation to the
25 higher education department for financial aid for low-income

1 students in Item (135) is reduced by ~~ten million dollars~~
2 ~~(\$10,000,000)~~, including reductions of five million dollars
3 (\$5,000,000) for the teacher preparation affordability
4 scholarship fund and ~~five million dollars (\$5,000,000)~~ for
5 ~~the opportunity scholarship;~~

6 (32) the general fund appropriation to New
7 Mexico state university to the New Mexico department of
8 agriculture for the soil and water conservation commission
9 for a pilot agricultural and natural resources grant program
10 in Item (138) is reduced by one million eight hundred
11 thousand dollars (\$1,800,000);

12 (33) the general fund appropriation to the
13 computer systems enhancement fund for transfer to the
14 computer systems enhancement fund for system replacements or
15 enhancements in Item (139) is reduced by six million seven
16 hundred thirty-three thousand nine hundred dollars
17 (\$6,733,900);

18 (34) the appropriation made from the public
19 education reform fund to public school support to pilot
20 summer extended learning opportunities in historically
21 defined Indian impacted school districts or charter schools
22 and school districts with a membership of fewer than two
23 hundred, including early childhood education full-time-
24 equivalent membership, in Item (140) is reduced by five
25 million dollars (\$5,000,000);

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

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

11 B. In addition to the special appropriations
12 provided in Section 5 of the General Appropriation Act of
13 2020:

14 (1) five hundred thousand dollars (\$500,000)
15 is appropriated from the general fund to the administrative
16 office of the courts to distribute to district courts for the
17 cost of new judgeships; and

18 (2) one million seven hundred thousand
19 dollars (\$1,700,000) is appropriated to the department of
20 finance and administration to distribute to executive,
21 legislative and judicial agencies to provide a one percent
22 salary increase to cover cost increases of employee benefits
23 for employees earning an annual salary of less than fifty
24 thousand dollars (\$50,000); provided that the agency is
25 unable to provide these salary increases from the agency's

1 operating budget.

2 C. The appropriations provided in Subsection B of
3 this section may be expended in fiscal year 2021, and any
4 unexpended balance of the appropriations remaining at the end
5 of fiscal year 2021 shall revert to the general fund.

6 D. If funding from the federal Coronavirus Aid,
7 Relief, and Economic Security Act is available, the
8 department of finance and administration may use those funds
9 to provide supplemental funding for the appropriations to the
10 public education department or to public school support
11 listed in Subsection A this section; provided that funding
12 from the federal Coronavirus Aid, Relief, and Economic
13 Security Act shall not exceed the total appropriation
14 reduction for a purpose as provided by this section."

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

17 "DEVELOPMENTAL DISABILITIES SUPPORT
18 PROGRAM--REVERSION--SECTION 5.--Notwithstanding any other
19 provision of the General Appropriation Act of 2020, the total
20 amount of funds that shall revert pursuant to Item (89) of
21 Section 5 of the General Appropriation Act of 2020 shall be
22 seven million dollars (\$7,000,000). Any unexpended balance
23 over seven million dollars (\$7,000,000) in the developmental
24 disabilities support program of the department of health
25 remaining at the end of fiscal year 2020 shall not revert to

1 the general fund."

2 SECTION 9. A new section of the General Appropriation
3 Act of 2020 is enacted to read:

4 "SUPPLEMENTAL AND DEFICIENCY APPROPRIATION
5 REDUCTION--SECTION 6.--The general fund appropriation in Item
6 (6) of Section 6 of the General Appropriation Act of 2020 to
7 the public school insurance authority to the public school
8 insurance fund to pay insurance claims is reduced by two
9 million dollars (\$2,000,000)."

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

12 "INFORMATION TECHNOLOGY APPROPRIATION
13 REDUCTIONS--SECTION 7.--The appropriations from the computer
14 systems enhancement fund in Section 7 of the General
15 Appropriation Act of 2020 are each reduced by the following:

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

21 B. the appropriation to the department of finance
22 and administration to develop a web-based interface for the
23 comprehensive annual financial report system software in Item
24 (7) is reduced by two hundred fifty thousand dollars
25 (\$250,000);

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

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

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

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

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

22 "COMPENSATION APPROPRIATIONS REDUCTION--SECTION 8.--The
23 general fund appropriations for salary increases provided in
24 Section 8 of the General Appropriation Act of 2020 are
25 reduced by one hundred percent, and no salary increases shall

1 be provided pursuant to that section."

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

4 "SPECIAL TRANSPORTATION APPROPRIATION REDUCTION--SECTION
5 9.--The general fund appropriation in Item (1) of Section 9
6 of the General Appropriation Act of 2020 to the department of
7 transportation is reduced by forty-five million dollars
8 (\$45,000,000)."

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

11 "FUND TRANSFER REDUCTIONS--SECTION 10.--The general fund
12 appropriation to the department of finance and administration
13 to the early childhood endowment fund in fiscal year 2021 in
14 Item (1) of Section 10 of the General Appropriation Act of
15 2020 shall be made to the early childhood education and care
16 fund and is reduced by twenty million dollars (\$20,000,000)."

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

19 "ALLOCATION OF FEDERAL STIMULUS MONEY.--The state of New
20 Mexico, including political subdivisions of the state, did
21 not anticipate expenditures for the operation of government
22 in budgets for fiscal year 2020 or fiscal year 2021 to
23 respond to the coronavirus disease 2019 public health
24 emergency. Of the money available at the time of this 2020
25 act from the federal Coronavirus Aid, Relief, and Economic

1 Security Act state and local relief fund allocation to the
2 state of New Mexico:

3 ~~A. one hundred thirty million dollars~~
4 ~~(\$130,000,000) shall be used for necessary expenditures~~
5 ~~incurred due to the coronavirus disease 2019 public health~~
6 ~~emergency, including reimbursing agencies for eligible~~
7 ~~expenditures in fiscal year 2020 and ongoing public health~~
8 ~~emergency needs in fiscal year 2021;~~

9 ~~B. one hundred fifty million dollars~~
10 ~~(\$150,000,000) shall be allocated by the department of~~
11 ~~finance and administration to cities and counties with a~~
12 ~~population of less than five hundred thousand residents for~~
13 ~~necessary expenditures responding to the public health~~
14 ~~emergency such as public safety, health and other government~~
15 ~~expenditures necessary for mitigating the effects, including~~
16 ~~secondary effects, of the public health emergency in fiscal~~
17 ~~year 2021, including reimbursing unforeseen expenditures in~~
18 ~~fiscal year 2020; provided that if the department of finance~~
19 ~~and administration allocates funds to each eligible city or~~
20 ~~county in the proportion that the population of the eligible~~
21 ~~city or county is to the total population of all eligible~~
22 ~~cities and counties, the population of an eligible city or~~
23 ~~county or municipality shall be determined by the most recent~~
24 ~~population estimate published by the United States census~~
25 ~~bureau that includes adequate data for the eligible city or~~

1 county;

2 ~~C. in addition to the amounts in Subsection B of~~
3 ~~this section, the department of finance and administration~~
4 ~~shall allocate an additional fifteen million dollars~~
5 ~~(\$15,000,000) to the counties of Cibola, McKinley and San~~
6 ~~Juan, and municipalities within those counties, for the same~~
7 ~~purposes as set out in Subsection B of this section due to~~
8 ~~the extraordinary impact of the public health emergency, and~~
9 ~~associated unforeseen costs, in those jurisdictions; provided~~
10 ~~that if the department of finance and administration~~
11 ~~allocates funds to each eligible county or municipality in~~
12 ~~the proportion that the population of the eligible county is~~
13 ~~to the total population of all eligible counties and~~
14 ~~municipalities, the population of an eligible county or~~
15 ~~municipality shall be determined according to the most recent~~
16 ~~population estimate published by the United States census~~
17 ~~bureau that includes adequate data for the eligible county or~~
18 ~~municipality;~~

19 ~~D. in addition to the amounts in Subsection B of~~
20 ~~this section, the department of finance and administration~~
21 ~~shall allocate an additional twenty-three million dollars~~
22 ~~(\$23,000,000) for the governments of Indian nations, pueblos~~
23 ~~or tribes for the same purposes as set out in Subsection B of~~
24 ~~this section due to the extraordinary impact of the public~~
25 ~~health emergency, and associated unforeseen costs, in those~~

1 ~~jurisdictions;~~

2 E. seven hundred fifty million dollars
3 (\$750,000,000) shall be transferred to the appropriation
4 account of the general fund for expenditure in fiscal year
5 2021 on expenditures reasonably necessary for the operation
6 of government, including:

7 (1) necessary expenditures within state
8 agencies, public schools and higher education to comply with
9 the public health orders, including sanitation, alternative
10 work and service delivery practices, and secondary effects to
11 operations caused by the coronavirus disease 2019 public
12 health emergency;

13 (2) public health, public health facilities,
14 public safety, adult and juvenile corrections, human
15 services, other non-medicaid health and behavioral health
16 expenditures to comply with public health orders; and

17 (3) expenditures for public and higher
18 education to deliver educational services, including
19 facilitating social distancing and mitigating lost learning,
20 and to facilitate economic support for businesses in New
21 Mexico to have a skilled workforce; and

22 F. contingent on certification by the secretary of
23 finance and administration of notice by the federal
24 government disallowing the use of funds in the manner
25 provided in Subsection E of this section, the department of

1 finance and administration, public education department and
2 higher education department shall specifically account for
3 those expenses in Subsection E of this section in agency
4 budgets, local education agency budgets and institutions of
5 higher education budgets and account for the portion of the
6 general fund allotment using the federal Coronavirus Aid,
7 Relief, and Economic Security Act state relief fund instead."

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

10 "TAX STABILIZATION RESERVE--TRANSFER.--Pursuant to
11 Subsection E of Section 6-4-2.2 NMSA 1978, money in the tax
12 stabilization reserve may be transferred as follows:

13 A. if, after accounting for all transfers to the
14 general fund authorized by the General Appropriation Act of
15 2020, including transfers from the general fund operating
16 reserve and the appropriation contingency fund, revenue and
17 transfers in the general fund at the end of fiscal year 2020
18 are insufficient to meet appropriations, the governor, with
19 state board of finance approval, may transfer to the
20 appropriation account of the general fund the amount
21 necessary to meet that fiscal year's obligations from the tax
22 stabilization reserve;

23 B. if, after accounting for all transfers to the
24 general fund authorized by the General Appropriation Act of
25 2020, including transfers from the general fund operating

1 reserve and the appropriation contingency fund, revenue and
2 transfers in the general fund at the end of fiscal year 2021
3 are insufficient to meet appropriations, the governor, with
4 state board of finance approval, may transfer to the
5 appropriation account of the general fund the amount
6 necessary to meet that fiscal year's obligations from the tax
7 stabilization reserve; provided that the total transferred
8 pursuant to this subsection shall not exceed seven hundred
9 fifty million dollars (\$750,000,000);

10 C. if the department of finance and administration
11 certifies to the state board of finance that a portion or all
12 of federal Coronavirus Aid, Relief, and Economic Security Act
13 funds cannot be used, as provided for in Subsection E of
14 Section 14 of this 2020 act, and if revenue and transfers to
15 the general fund at the end of fiscal year 2021 are
16 insufficient to meet appropriations, the governor, with the
17 approval of the state board of finance, may transfer to the
18 appropriation account of the general fund the amount
19 necessary to meet that fiscal year's obligations from the tax
20 stabilization reserve; provided that no more than seven
21 hundred fifty million dollars (\$750,000,000) shall be
22 transferred; and provided further that if any federal funds
23 received by the state may be used to fund appropriations and
24 transfers made pursuant to the General Appropriation Act of
25 2020 or this 2020 act, the transfer from the tax

1 stabilization reserve made pursuant to this subsection shall
2 be reduced by that amount of federal funds received; and

3 D. if the department of finance and administration
4 determines that the federal government will not provide
5 funding in the fourth quarter of calendar year 2020 to extend
6 the enhancements provided to the medical assistance program
7 provided in response to the coronavirus disease 2019 public
8 health emergency, the governor, with the approval of the
9 state board of finance, may transfer up to thirty-seven
10 million five hundred thousand dollars (\$37,500,000) to the
11 human services department for the medical assistance
12 program."

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

15 "TOBACCO SETTLEMENT PERMANENT FUND--TRANSFER FOR THE
16 MEDICAL ASSISTANCE PROGRAM.--Fifty percent of the fiscal year
17 2021 distribution to the state pursuant to the master
18 settlement agreement entered into between tobacco product
19 manufacturers and various states, including New Mexico, and
20 executed November 23, 1998, shall be distributed to the
21 tobacco settlement program fund; provided that this
22 distribution is in addition to the annual distribution from
23 the tobacco settlement permanent fund to the tobacco
24 settlement program fund."

25 SECTION 17. A new section of the General Appropriation

1 Act of 2020 is enacted to read:

2 "DEPARTMENT OF FINANCE AND ADMINISTRATION--AUTHORITY TO
3 REQUIRE ADDITIONAL BUDGET DECREASES.--

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

16 (1) the department of finance and
17 administration, after review and an opportunity to comment by
18 the legislative finance committee, shall reduce general fund
19 allotments to each agency, program and other recipient that
20 receives a general fund appropriation pursuant to Subsection
21 C of Section 4 of the General Appropriation Act of 2020;
22 provided that each agency shall be reduced by the same
23 percentage;

24 (2) the administrative office of the courts
25 shall reduce general fund allotments to each judicial agency,

1 program and other recipient that receives a general fund
2 appropriation pursuant to Subsection B of Section 4 of the
3 General Appropriation Act of 2020; and

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

9 B. The department of finance and administration
10 shall provide guidance to each agency provided for in
11 Paragraph (1) of Subsection A of this section to assist the
12 agency in targeting program reductions that will minimize the
13 impact of the reductions on direct services provided by the
14 agency.

15 C. As used in this section, "general fund
16 consensus revenue forecast" means the revenue estimates
17 prepared by the career economists of the department of
18 finance and administration, the taxation and revenue
19 department, the department of transportation and the
20 legislative finance committee."

21 **SECTION 18.** A new section of the General Appropriation
22 Act of 2020 is enacted to read:

23 "OPERATING BUDGETS AND ALLOTMENTS REDUCED TO
24 COMPLY--OTHER REDUCTIONS TO CONFORM--OVER--
25 ALLOTMENTS--DEPARTMENT OF FINANCE AND ADMINISTRATION.--

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

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

1 remedy over-allotments, and the grant of authority in this
2 section shall not be deemed to be a legislative determination
3 that the department of finance and administration does not
4 otherwise have the authority provided in this section.

5 C. As used in this section, "state agency" means
6 any department, institution, board, bureau, commission,
7 district or committee of the government of the state and
8 means every office or officer of any of the above."

9 SECTION 19. SPECIAL SESSION APPROPRIATION.--

10 A. The following amounts are appropriated from the
11 legislative cash balances for expenditure in fiscal years
12 2020 and 2021 for the following expenses of the first special
13 session of the fifty-fourth legislature:

14 (1) for the expense of the house of
15 representatives, one hundred twenty-four thousand dollars
16 (\$124,000) to be disbursed on vouchers signed by the speaker
17 and the chief clerk of the house of representatives or the
18 chief clerk's designee;

19 (2) for the expense of the senate, one
20 hundred six thousand five hundred dollars (\$106,500) to be
21 disbursed on vouchers signed by the chair of the committees'
22 committee and the chief clerk of the senate or the chief
23 clerk's designee; and

24 (3) for the expense of the legislative
25 council service, forty thousand dollars (\$40,000) to be

1 disbursed on vouchers signed by the director of the
2 legislative council service or the director's designee to
3 reimburse the department of public safety for providing
4 security and protection for the legislature pursuant to
5 Section 29-2-27 NMSA 1978.

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

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

19 SECTION 21. TEMPORARY PROVISION--STATE EQUALIZATION
20 GUARANTEE DISTRIBUTION REVERSION--GENERAL APPROPRIATION ACT OF
21 2019.--Any unexpended balances in the state equalization
22 guarantee distribution remaining at the end of fiscal year
23 2020 made from the general fund to Item (1) of Subsection K of
24 Section 4 of the General Appropriation Act of 2019 shall not
25 revert to the general fund but shall instead revert to the

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

state-support reserve fund. _____