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HOUSE BILL 538

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Joe Thompson

AN ACT

RELATING TO THE STATE BUDGET; REMOVING THE TEN-DAY WAITING PERIOD FOR A BUDGET ADJUSTMENT REQUEST TO INCREASE FUNDS FOR AN EMERGENCY OR DISASTER EVENT; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 6-3-25 NMSA 1978 (being Laws 1992, Chapter 2, Section 3) is amended to read:

"6-3-25. BUDGET ADJUSTMENT PROCEDURE. --

A. Except for federal funds or a budget adjustment request to increase funds for an emergency or disaster event that is approved by the governor by an executive order and by the director of the state budget division of the department of finance and administration, any budget adjustment request to transfer, decrease or increase funds shall be held in abeyance

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1 for ten calendar days after the director [~~of the state budget~~  
2 ~~division of the department of finance and administration~~] has  
3 approved the request and has filed the request with the  
4 director of the legislative finance committee or his designee.  
5 The request shall be accompanied by a statement, in writing,  
6 of the conditions under which the budget adjustment request is  
7 approved, together with justification for approval.

8 B. If within ten days the director of the  
9 legislative finance committee or his designee objects to the  
10 request, the request shall not go into effect until it is  
11 reviewed by the legislative finance committee at a public  
12 hearing held within thirty-five calendar days of receipt of  
13 the proposed budget adjustment by the director of the  
14 legislative finance committee or his designee. If the state  
15 fiscal year ends prior to the date scheduled for a hearing,  
16 the request shall go into effect on the last day of the fiscal  
17 year.

18 C. If within ten days of receipt of a budget  
19 adjustment request the director of the legislative finance  
20 committee or his designee indicates that no objection will be  
21 forthcoming, the proposed budget adjustment request may be  
22 implemented immediately. If no public hearing is held within  
23 the required thirty-five days, the request may be implemented.

24 D. As used in this section, "emergency or disaster  
25 event" means an event that:

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- (1) threatens loss of life;
- (2) threatens loss of property; or
- (3) warrants the protection of the state's  
critical infrastructure."

Section 2. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 1999.

1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
3  
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6 February 19, 1999  
7

8 Mr. Speaker:  
9

10 Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
11 whom has been referred  
12

13 HOUSE BILL 538  
14

15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, amended as follows:

- 17 1. On page 3, line 3, strike "warrants the protection of"  
18 and insert in lieu thereof "threatens damage to".  
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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Respectfully submitted,

\_\_\_\_\_  
Max Coll, Chairman

Adopted \_\_\_\_\_

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

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 15 For 0 Against

Yes: 15

Excused: Buffett, Parsons

Absent: None

J: \99BillSWP\H0538

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

March 1, 1999

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

HOUSE BILL 538, as amended

has had it under consideration and reports same with  
recommendation that it DO PASS.

Respectfully submitted,

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Ben D. Altamirano, Chairman

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Carraro, Eisenstadt, Ingle, Lyons, McKibben, Tsosie

Absent: None

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