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HOUSE BILL 37

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

INTRODUCED BY

Mimi Stewart

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 four percent;

B. in Subsection B, Judicial, all judicial agencies, district courts and district attorneys and the

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1 administrative office of the district attorneys are reduced by
2 two percent, except the court of appeals, the supreme court
3 building commission and the second judicial district court are
4 not reduced;

5 C. in Subsection C, General Control, all agencies
6 funded by the general fund are reduced by four percent except
7 for the following:

8 (1) the attorney general is reduced by two
9 percent;

10 (2) the state auditor, the public defender
11 department, the state treasurer, the state personnel office and
12 the secretary of state are reduced by two percent;

13 (3) the department of finance and
14 administration, except agency code 344, is reduced by four
15 percent; and

16 (4) item (4) of the department of finance and
17 administration dues and membership fees and special
18 appropriations is reduced by one hundred percent;

19 D. in Subsection D, Commerce and Industry, all
20 agencies funded by the general fund are reduced by four
21 percent;

22 E. in Subsection E, Agriculture, Energy and Natural
23 Resources, all agencies funded by the general fund are reduced
24 by four percent, except the organic commodity commission is
25 reduced by nine-tenths percent;

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1 F. in Subsection F, Health, Hospitals and Human
2 Services, all agencies funded by the general fund are reduced
3 by four percent except for the following:

4 (1) the commission on the status of women is
5 reduced by two and five-tenths percent;

6 (2) the Martin Luther King, Jr. commission is
7 reduced by one and five-tenths percent;

8 (3) the aging and long-term services
9 department is reduced by one and two-tenths percent;

10 (4) the commission for the blind, the
11 vocational rehabilitation division of the public education
12 department, the veterans' services department and the New
13 Mexico health policy commission are not reduced;

14 (5) the developmental disabilities planning
15 council is reduced by three and two-tenths percent;

16 (6) the children, youth and families
17 department is reduced by two and five-tenths percent;

18 (7) the department of health is reduced as
19 follows:

20 (a) all programs except the
21 developmental disabilities support program are reduced by two
22 and four-tenths percent; and

23 (b) the other financing uses category in
24 the developmental disabilities support program is reduced by
25 two million dollars (\$2,000,000), which will be offset by two

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1 million dollars (\$2,000,000) from federal funds of the human
2 services department;

3 (8) the workforce solutions department is
4 reduced by seventeen and six-tenths percent; and

5 (9) the human services department is reduced
6 as follows:

7 (a) the behavioral health services
8 program, the income support program, the child support
9 enforcement program and program support are reduced by four
10 percent; and

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

15 (10) the office of natural resources trustee
16 is reduced by two and four-tenths percent;

17 G. in Subsection G, Public Safety, all agencies are
18 reduced by four percent except for the following:

19 (1) the crime victims reparation commission,
20 parole board and juvenile public safety advisory board are not
21 reduced;

22 (2) the corrections department is reduced by
23 three and two-tenths percent; and

24 (3) the department of public safety is reduced
25 by three percent;

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1 H. in Subsection I, Other Education the public
2 education department, except for agency code 925, is reduced by
3 three and eight-tenths percent;

4 I. in Subsection J, Higher Education, reductions
5 are as follows:

6 (1) the higher education department is reduced
7 by four percent;

8 (2) every public post-secondary educational
9 institution is reduced by one and five-tenths percent in its
10 instruction and general purposes category and three percent in
11 every other category, including research and public service
12 projects, with the institution determining reductions in each
13 item of the category; and

14 (3) every special school is reduced by one and
15 five-tenths percent in its instruction and general purposes
16 category and three percent in every other category, including
17 research and public service projects, with the school
18 determining reductions in each item of the category; and

19 J. in Subsection K, Public School Support, there
20 are no reductions."

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

23 "[NEW MATERIAL] APPROPRIATION REDUCTION--SECTION 5.--The
24 appropriation in Section 5 of the General Appropriation Act of
25 2009 to the department of information technology for the New
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1 Mexico computing applications center is reduced by one million
2 five hundred thousand dollars (\$1,500,000)."

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

5 "[NEW MATERIAL] FEDERAL STIMULUS FUNDS--AMERICAN RECOVERY
6 AND REINVESTMENT ACT OF 2009.--Of the ninety-three million two
7 hundred thousand dollars (\$93,200,000) remaining from the
8 federal American Recovery and Reinvestment Act of 2009
9 allocation to the state through the education fund of the state
10 fiscal stabilization fund, seventy million dollars
11 (\$70,000,000) shall be distributed to school districts through
12 the state equalization guarantee distribution for fiscal year
13 2010."

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

16 "[NEW MATERIAL] TOBACCO SETTLEMENT PROGRAM FUND--
17 APPROPRIATION TO MEDICAID.--Three million two hundred thousand
18 dollars (\$3,200,000) is appropriated from the tobacco
19 settlement program fund to the human services department for
20 expenditure in fiscal year 2010 for the medical assistance
21 program. Any unexpended or unencumbered balance remaining at
22 the end of fiscal year 2010 shall revert to the tobacco
23 settlement program fund."

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

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1 "[NEW MATERIAL] PUBLIC SCHOOLS--EMERGENCY SUPPLEMENTAL.--
2 Three million dollars (\$3,000,000) is appropriated from the
3 general fund to the emergency supplemental distribution of the
4 public school fund for expenditure in fiscal year 2010 by the
5 public education department to make emergency distributions to
6 school districts or state-chartered charter schools in
7 financial need, but no money shall be distributed to any school
8 district or state-chartered charter school having cash and
9 invested reserves, or other resources or any combination
10 thereof, equaling five percent or more of the school district's
11 or state-chartered charter school's operational budget. Any
12 unexpended or unencumbered balance remaining at the end of
13 fiscal year 2010 shall revert to the general fund."

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

16 "[NEW MATERIAL] APPROPRIATION.--Two million dollars
17 (\$2,000,000) is appropriated from the federal American Recovery
18 and Reinvestment Act of 2009 unemployment insurance
19 modernization funding to the workforce solutions department for
20 operating expenditures in fiscal year 2010."

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

23 "[NEW MATERIAL] OPERATING BUDGETS AND ALLOTMENTS REDUCED
24 TO COMPLY--OTHER REDUCTIONS TO CONFORM--DEPARTMENT OF FINANCE
25 AND ADMINISTRATION.--The department of finance and

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1 administration shall reduce fiscal year 2010 operating budgets
2 and adjust allotments to comply with the provisions of this
3 2009 special session act and may reduce appropriations from
4 other state funds, internal service/interagency transfers and
5 federal funds as necessary to match the general fund reductions
6 in the fiscal year 2010 operating budgets. The legislative
7 finance committee shall review the adjusted operating budgets
8 in a timely manner."

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