

**WHEREAS**, the Second Session of the Forty-Ninth Legislature adjourned on February 18, 2010 without passing the General Appropriation Act of 2011, the operating budget for the State of New Mexico for fiscal year 2011;

**WHEREAS**, passage and enactment of a balanced operating budget for the State of New Mexico for fiscal year 2011 is of critical importance to the operation of government and preservation of the economic health, welfare, and public safety of New Mexico and its citizens;

**WHEREAS**, the need for critical statewide infrastructure projects may be addressed with no impact to the general fund, the budget, or operating reserves through the issuance of severance tax bonds and general obligation bonds;

**WHEREAS**, the task of developing a balanced budget requires careful consideration of expenditure reductions and revenue enhancing measures, as well as revisions to certain portions of existing tax laws; and

**WHEREAS**, the economic difficulties facing the nation and this state demand the full attention of state government officials and that they work together to pass a balanced operating budget for fiscal year 2011 while maintaining adequate reserves for the State and maintaining a solid foundation for future economic stability.

**NOW THEREFORE**, I, Bill Richardson, Governor of the State of New Mexico, by virtue of the Authority vested in me pursuant to the Constitution of New Mexico, do hereby call the Forty-Ninth Legislature of the State of New Mexico into Special Session at 1 o'clock p.m., Monday, March 1, 2010, at the State Capitol in Santa Fe. In accordance with Article IV, Section 6 of the Constitution, this Special Session is called for the purpose of considering and enacting legislation concerning the following objects and no others:

1. The State of New Mexico's 2011 General Appropriation Act for the continued operation of state government for fiscal year 2011;
2. An act authorizing the State Board of Finance to issue capital projects general obligation bonds for purposes of providing funds for capital expenditures for senior citizen facility improvements and acquisitions, for library acquisitions, for public school capital improvements and for state institutions of higher education

- and state special schools capital improvements, providing for a tax levy for the payment of the principal, interest, and costs related to the issuance of the general obligation bonds and requiring approval of the registered voters at the 2010 general election of the state;*
- 3. An act authorizing appropriations from severance tax bond capacity, or from other state funds, for various capital outlay projects statewide and reauthorizing and reappropriating balances of certain appropriations to expand or change purposes, extend expenditure periods and/or change agencies;*
  - 4. An act authorizing the State Board of Finance to issue, in fiscal year 2011, short-term supplemental severance tax bonds and short-term severance tax bonds upon certification by the secretary of the department of finance and administration that certain conditions exist;*
  - 5. An act providing for a temporary tax amnesty program;*
  - 6. An act increasing the cigarette tax, providing for a tribal tax credit stamp for tribes that impose a tribal cigarette tax, adjusting the distributions of the cigarette tax and discounts for tax stamps, amending exemptions from the cigarette tax, and distributing additional revenue to the general fund;*
  - 7. An act increasing the low income comprehensive tax rebate;*
  - 8. An act repealing the gross receipts deduction for receipts from certain sales, providing a credit against the state share of gross receipts tax on receipts from certain sales, altering certain distributions to municipalities and counties, increasing the gross receipts and compensating taxes and distributing additional revenue to the general fund; and*
  - 9. An act appropriating legislative cash balances for the purpose of paying the expenses of the special session called pursuant to this Proclamation.*

*Attest:*

*Done at the Executive Office this 1<sup>st</sup> day  
of March, 2010.*

*Mary Herrera  
Secretary of State*

*Witness my hand and the Great Seal of the  
State of New Mexico*

*Bill Richardson  
Governor*