

Summary of the 2020 Special Session

Prepared by the NMSU Office of Government Relations
July 21, 2020 - Revised

The Legislature ended the special session on June 22, 2020 and completed action on two solvency bills to address the state revenue shortfalls for FY20 and FY21. State revenues declined largely due to a decline in oil prices and production and due to the COVID-19 emergency. According to the Legislative Finance Committee (LFC) Special Session update of June 10, 2020:

“the state was pretty well positioned to withstand a severe economic and fiscal stress with expected FY20 general fund reserves of 26.7 percent. However, in hindsight the 7.5 percent general fund appropriations growth was excessive.”

To resolve the budget deficits for FY20 and FY21 the legislature passed two solvency bills: HB1 (General Appropriations Scheduling) and SB5 (Solvency Measures). HB1 amends the enacted General Appropriation bill For FY21. Both bills were signed by the Governor with some vetoes, listed below.

SUMMARY OF STATE REVENUES AND APPROPRIATION ACTIONS

The summary of state revenues and appropriation actions is based on the General Fund Summary that is provided in the Preliminary 2020 Post Special Session Financial Report dated June 23, 2020 (See Table 1).

The Special Session General Consensus Revenue Estimate adjusted revenues downward by \$439 million in FY20 for a total recurring revenue level of \$7.338 billion. For FY21, revenues were adjusted downward by \$1.979 billion with total recurring revenue of \$5.891 billion. After adding FY21 non-recurring revenue of \$777.9 million, total recurring and non-recurring revenue decreases from \$7,870.5 billion to \$6,669.4 billion, a reduction of \$1.2 billion when compared to the December 2019 Consensus revenue forecast. A total of \$750 million in CARES Act stimulus funds was assumed in the non-revenue category (excludes the CARES Act funding received by public and higher education and few other state agencies).

During the regular session that ended on March 2020, a total of \$7.621 billion in recurring and \$320 million in non-recurring appropriations was enacted for a total appropriation of \$7.941 billion. During the special session, recurring appropriations was reduced by \$415 million to a total funding level of \$7.206 billion while the non-recurring appropriation of \$320 million was reduced by \$181.6 million leaving a total non-recurring appropriation of \$138.4 million. The legislature, during the special session, enacted a total appropriation level of \$7.345 billion with the combined recurring and non-recurring actions.

The combination of reduction in revenues of \$6.669 billion and the resulting actions of the appropriation level of \$7.345 billion results in a deficit of \$675.4 million. Estimated reserves of \$1.509 billion from FY20 are used to cover the FY21 deficit leaving a FY21 reserve level of \$849.8 billion or 11.8% of recurring appropriations.

The General Fund Financial Summary in the LFC report estimates FY22 new money of (\$986) million, a reduction of 14 percent below the FY21 recurring special session level of \$7.206 billion.

The Governor line-item-vetoed some items in the bill which resulted in a total recurring/non-recurring appropriation of \$7.361 billion, an increase of \$16.4 million. Reserves for FY21 went from 849.8 million in the legislative passed bill to \$818.8 million in the enacted bill or 11.8% to 11.4% of recurring appropriations.

TABLE 1 – Passed Bills (Legislative Action)

General Fund Financial Summary:
June 2020 Special Session with legislation passed both chambers
(millions of dollars)

June 20, 2020	Estimate FY2019	Estimate FY2020	Estimate FY2021	Estimate FY2022
APPROPRIATION ACCOUNT				
REVENUE				
Recurring Revenue				
December 2019 Consensus Revenue Forecast, Legislation Adjusted	\$ 8,009.5	\$ 7,776.4	\$ 7,870.5	\$ 7,925.6
June 2020 Consensus Update	\$ -	\$ (439.0)	\$ (1,979.0)	\$ (1,705.0)
Total Recurring Revenue	\$ 8,009.5	\$ 7,337.5	\$ 5,891.5	\$ 6,220.5
Nonrecurring Revenue				
2019 Nonrecurring Revenue Legislation	\$ (100.0)	\$ -	\$ -	\$ -
December 2019 Consensus Revenue Forecast, Legislation Adjusted	\$ -	\$ 28.8	\$ 2.9	\$ -
June 2020 Consensus Update	\$ -	\$ 65.0	\$ -	\$ -
June 2020 Special Session Legislation		\$ (19.6)	\$ 25.0	
Federal Stimulus Funds	\$ -	\$ -	\$ 750.0	\$ -
Total Nonrecurring Revenue	\$ (100.0)	\$ 74.2	\$ 777.9	\$ -
TOTAL REVENUE	\$ 7,909.5	\$ 7,411.7	\$ 6,669.4	\$ 6,220.5
APPROPRIATIONS				
Recurring Appropriations				
2019 Session Legislation & Feed Bill	\$ 10.0	\$ 7,085.3	\$ -	FY22 New Money: (\$986) million or -14%
2020 Regular Session Legislation & Feed Bill	\$ -	\$ 6.8	\$ 7,621.4	
2020 Special Session Solvency Savings	\$ -	\$ -	\$ (415.0)	
Total Recurring Appropriations	\$ 6,339.8	\$ 7,092.1	\$ 7,206.4	
Nonrecurring Appropriations				
2019 Session Nonrecurring Appropriations ¹	\$ 1,178.3	\$ 431.9	\$ -	
2020 Session Nonrecurring Appropriations & Legislation	\$ -	\$ 506.3	\$ 320.0	
2020 Special Session Solvency Savings	\$ -	\$ (190.2)	\$ (20.0)	\$ -
2020 Special Session Federal Funds Swaps	\$ -	\$ -	\$ (161.6)	\$ -
Total Nonrecurring Appropriations	\$ 1,226.1	\$ 748.0	\$ 138.4	
FY2019 Ending Audit Adjustments	\$ (49.7)			
TOTAL APPROPRIATIONS	\$ 7,516.3	\$ 7,840.1	\$ 7,344.8	
Transfer to (from) Reserves	\$ 393.2	\$ (428.4)	\$ (675.4)	
GENERAL FUND RESERVES				
Beginning Balances	\$ 1,184.6	\$ 1,833.9	\$ 1,509.0	
Transfers from (to) Appropriations Account	\$ 393.2	\$ (428.4)	\$ (675.4)	
Revenue and Reversions	\$ 262.6	\$ 165.2	\$ 68.7	
Appropriations, Expenditures and Transfers Out	\$ (6.5)	\$ (61.7)	\$ (52.5)	
Ending Balances	\$ 1,833.9	\$ 1,509.0	\$ 849.8	
<i>Reserves as a Percent of Recurring Appropriations</i>	<i>28.9%</i>	<i>21.3%</i>	<i>11.8%</i>	

Notes:

1) Laws 2019, Chapter 271 (HB2) contained \$31 million in appropriations contingent on the consensus forecast amount presented in August 2019 for FY19 exceeding \$7.62 billion. Contingent appropriations include up to \$15 million to the Economic Development Department for LEDA projects, up to \$11 million to the Department of Transportation for road projects, and up to \$5 million to the Higher Education Department to replenish the college affordability endowment fund.

* Note: totals may not foot due to rounding

Note: Scenario framework reflects compensation increases of 0% to .75%; this highlevel summary reflects the .75% scenario

TABLE 2 – Chaptered Bills (Governor’s Action)

General Fund Financial Summary:
June 2020 Special Session with Chaptered Legislation
(millions of dollars)

June 30, 2020	Actual FY2019	Estimate FY2020	Estimate FY2021	Estimate FY2022
<u>APPROPRIATION ACCOUNT</u>				
REVENUE				
Recurring Revenue				
December 2019 Consensus Revenue Forecast, Legislation Adjusted	\$ 8,009.5	\$ 7,776.4	\$ 7,870.5	\$ 7,925.6
June 2020 Consensus Update	\$ -	\$ (439.0)	\$ (1,979.0)	\$ (1,705.0)
June 2020 Special Session Legislation	\$ -	\$ -	\$ -	\$ (4.2)
Total Recurring Revenue	\$ 8,009.5	\$ 7,337.5	\$ 5,891.5	\$ 6,216.3
Nonrecurring Revenue				
2019 Nonrecurring Revenue Legislation	\$ (100.0)	\$ -	\$ -	\$ -
December 2019 Consensus Revenue Forecast, Legislation Adjusted	\$ -	\$ 28.8	\$ 2.9	\$ -
June 2020 Consensus Update	\$ -	\$ 65.0	\$ -	\$ -
June 2020 Special Session Legislation		\$ (23.6)	\$ 25.0	
Federal Stimulus Funds	\$ -	\$ -	\$ 750.0	\$ -
Total Nonrecurring Revenue	\$ (100.0)	\$ 70.2	\$ 777.9	\$ -
TOTAL REVENUE	\$ 7,909.5	\$ 7,407.7	\$ 6,669.4	\$ 6,216.3
<u>APPROPRIATIONS</u>				
Recurring Appropriations				
2019 Session Legislation & Feed Bill	\$ 10.0	\$ 7,085.3	\$ -	FY22 New Money: (\$991) million or -14%
2020 Regular Session Legislation & Feed Bill	\$ -	\$ 6.8	\$ 7,621.4	
2020 Special Session Solvency Savings	\$ -	\$ -	\$ (413.6)	
Total Recurring Appropriations	\$ 6,339.8	\$ 7,092.1	\$ 7,207.8	
Nonrecurring Appropriations				
2019 Session Nonrecurring Appropriations ¹	\$ 1,178.3	\$ 431.9	\$ -	
2020 Session Nonrecurring Appropriations & Legislation	\$ -	\$ 506.3	\$ 320.0	
2020 Special Session Solvency Savings	\$ -	\$ (179.9)	\$ (20.0)	\$ -
2020 Special Session Federal Funds Swaps	\$ -	\$ -	\$ (146.6)	\$ -
Total Nonrecurring Appropriations	\$ 1,226.1	\$ 758.3	\$ 153.4	
FY2019 Ending Audit Adjustments	\$ (49.7)			
TOTAL APPROPRIATIONS	\$ 7,516.3	\$ 7,850.4	\$ 7,361.2	
Transfer to (from) Reserves	\$ 393.2	\$ (442.7)	\$ (691.8)	
GENERAL FUND RESERVES				
Beginning Balances	\$ 1,184.6	\$ 1,833.9	\$ 1,494.7	
Transfers from (to) Appropriations Account	\$ 393.2	\$ (442.7)	\$ (691.8)	
Revenue and Reversions	\$ 262.6	\$ 165.2	\$ 68.5	
Appropriations, Expenditures and Transfers Out	\$ (6.5)	\$ (61.7)	\$ (52.5)	
Ending Balances	\$ 1,833.9	\$ 1,494.7	\$ 818.8	
<i>Reserves as a Percent of Recurring Appropriations</i>	<i>28.9%</i>	<i>21.1%</i>	<i>11.4%</i>	

Notes:

1) Laws 2019, Chapter 271 (HB2) contained \$31 million in appropriations contingent on the consensus forecast amount presented in August 2019 for FY19 exceeding \$7.62 billion. Contingent appropriations include up to \$15 million to the Economic Development Department for LEDA projects, up to \$11 million to the Department of Transportation for road projects, and up to \$5 million to the Higher Education Department to replenish the college affordability endowment fund.

* Note: totals may not foot due to rounding

Note: Scenario framework reflects compensation increases of 0% to .75%; this highlevel summary reflects the .75% scenario

HB1 AMENDMENTS TO HB2 (CHAPTER 83, LAWS 2020)

HB1 amended HB2 (Chapter 83, Laws 2020) from the regular session. The following describes the modifications to Chapter 83, Laws 2020 by HB2 Section ((See Table 3).

Section 4 Appropriation (Recurring)

The legislatively passed bill includes total institutional funding of \$800.6 million for higher education institutions (universities, colleges and special schools). This is a decrease of \$56.4 million or 6.6% below the FY21 regular session and \$26.7 million or 3.2% below FY20 (See Tables 5-7 for summaries by institution). Instruction & General (I&G) is funded at \$661.5 million, a decrease of \$48.4 or 6.8% below the FY21 regular session and \$30.5 million or 4.4% below FY20. The final bill includes \$139.1 million for non-I&G, a decrease of \$8.0 million or 5.4 percent below the FY21 regular session and an increase of \$3.8 million or 2.8% above FY20. **The governor did not line-item-veto any item that would have impacted recurring appropriations shown in Table 3.**

TABLE 3

Passed HB1 - General Appropriation Sanding FY21 Institutional Appropriation by Category Recurring dollars in thousands					
Category	FY20 OpBud	FY21 Regular Session	FY21 Sp. Session HB1 Passed	\$ Change Sp. Ses. v F21 Reg	\$ Change HB1 v FY20
I&G	691,990.7	709,945.0	661,506.5	(48,438.5)	(30,484.2)
Non-I&G	135,363.7	147,114.1	139,121.9	(7,992.2)	3,758.2
Total	827,354.40	857,059.10	800,628.35	(56,430.8)	(26,726.1)
Note: NMSU Office of Government Relations Estimates - FY21 figures exclude compensation. Department of Finance and Administration will make final determination on allocations					

The enacted bill accomplished the reductions as follows:

- Reduced Instruction and General appropriations across the board by 4%
- Reduced Non-Instruction and General Appropriations by 6% except for the New Mexico Department of Agriculture, the Agricultural Experiment Station and the Cooperative Extension Service (which were reduced by 4%)
- Swapped a total of \$18.8 million in Federal CARES Act funding that institutions received from the institutional funding from Section 18004(a)(1) plus an additional \$1.2 million that the UNM Health Sciences Center received for a total of \$20.0 million. (Note: Legislative Finance Committee Staff Preliminary Post Session Report indicates the reduction associated with the swap is non-recurring, but it still reduces appropriations for FY21).

The Legislative Finance Committee originally proposed to reduce I&G by swapping a total of \$29.4 million, however during the legislative process the swap was reduced to \$20.0 million thus increasing the I&G appropriation by a total of \$19.4 million. The original allocation also proposed to reduce the New Mexico

Department of Agriculture, Agricultural Experiment Station and the Cooperative Extension Service by 6%, however the final bill includes a reduction of 4%.

New Mexico State University System

The New Mexico State University System received a total appropriation of \$202.9 million, a decrease of \$13.6 million or 6.3% below the FY21 regular session and \$7.0 million or 3.3% below FY20 (See Table 4). **The Governor's action did not impact any items for the NMSU system.**

I&G is funded at \$150.9 million for FY21, a decrease of \$11.2 million or 6.9 percent from the regular session and a decrease of \$7.9 million or 5.0% from FY20 funding levels. The I&G funding level includes the Federal funds swap of \$4.7 million for the NMSU system that has the impact of reducing the I&G appropriation. The Legislative Finance Committee originally recommended a \$7.0 million swap.

TABLE 4

FY21 General Appropriations for the NMSU System 2020 Special Session HB1 Chapter 5, Laws 2020 1st Special Session - Recurring (\$ in thousands)							
Institution / Program	FY20 OpBud	FY21 Reg. Sess. No Comp.	FY21 HB1 Passed	\$ Change HB1 v Reg. Ses.	% Change HB1 v Reg. Ses	\$ Change HB1 v FY20	% Change HB1 v FY20
Summary by Major Category							
Instruction and General	158,800.0	162,077.2	150,876.4	(11,200.8)	-6.9%	(7,923.6)	-5.0%
Agriculture (NMDA, AES, CES)	40,603.1	41,380.1	39,724.9	(1,655.2)	-4.0%	(878.2)	-2.2%
Research and Public Service Projects	5757.4	8110.5	7630.9	(479.6)	-5.9%	1,873.5	32.5%
Athletics	3724.1	3949.1	3712.2	(236.9)	-6.0%	(11.9)	-0.3%
Educational Tv	1,054.3	1,054.3	991.0	(63.3)	-6.0%	(63.3)	-6.0%
NMSU Total	209,938.9	216,571.2	202,935.3	(13,635.9)	-6.3%	(7,003.6)	-3.3%
Note: Subject to change based on Department of Finance and Administration interpretation of bill. Assumes that Dual Credit is reduced by 6%, but there could be an interpretation that it is reduced by 4% since it's related to I&G. HB1 eliminated compensation for higher education.							

Non-I&G programs were funded at \$52.1 million, a decrease of \$2.4 million or 4.5% from FY21 regular session levels and \$920,100 or 1.8% above FY 20 funding levels. The Non-I&G items include the agriculture entities, Research and Public Service Projects, Athletics and Educational Television (See Table 3). Line item detail is available in Table 5.

The regular session bill includes \$200,000 in the Department of Health & Developmental Disabilities Support for the College of Education Autism Program to establish and operate a regional office on autism spectrum disorder at NMSU. **The enacted bill could reduce the funding by two percent depending on what the Department of Health decides.**

HB2 from the regular session included language that transferred the rodeo coach from the College of Agricultural, Consumer and Environmental Services (CACES) to Athletics. **The chaptered bill eliminates the language thus allowing the rodeo coach to remain within (CACES).**

Opportunity and Lottery Scholarship

The regular session HB2 (Chapter 83, Laws 2020) included \$12.0 million in recurring funding within the Higher Education Department budget and \$5.0 million in non-recurring funding in Section 5 of HB2 for a total of \$17.0 million. HB1, as amended, reduced the recurring funding to \$5.0 million for the Opportunity Scholarship and eliminated the \$5.0 million in non-recurring funding. No changes were made to the language that was included in HB2. **The Governor restored the \$5.0 million in non-recurring funding for the Opportunity Scholarship through her line-item-veto in Section 7A(31). The final bill includes \$5.0 million in recurring funding for the opportunity scholarship.**

HB2 in the regular session funded the Lottery Scholarship in Section 5 at \$9.7 million and the enacted bill made no changes in funding levels during the special session.

Section 5 – Special Appropriations (Non-Recurring)

Item 48 – Appropriates \$10.0 million to the Economic Development Department which includes \$500,000 to NMSU and \$500,000 for NM Tech for education retraining workers currently or formerly employed by an operating coal-fueled electricity generating facility that is owned by a non-investor-owned electric utility and has been or is in the process of being retired. The item also includes contingency language. **The enacted HB1 eliminates the funding.**

Item 128 - \$500,000 to the Public Education Department for the “Grow Your Own” Teachers fund. **The enacted HB1 made no changes to the funding.**

Item 135 - \$20 million is appropriated to the Higher Education Department

- \$9.7 million for the Legislative Lottery Tuition Fund. **No change in the chaptered HB1.**
- \$5.0 million for the Opportunity Scholarship. **The legislatively passed bill in Section 7A(21) eliminated the funding but the Governor restored the funding with a line-item-veto (Section 7A(31)).**
- \$300,000 for a collaborative project between the higher education department and the public higher education institutions to increase student completion of the free application for federal student aid. **No change during the special session.**

Item 138 - \$1.8 million to NMDA for the soil and water conservation commission for a pilot agricultural and natural resources grant program. **The chaptered HB1 eliminates the funding.**

Section 6 – Supplemental and Deficiency Appropriations (Non-Recurring)

Item 34 – \$1.1 million to the Higher Education Department for the Teacher Loan repayment program. The other state funds are from the Teacher Loan Repayment Fund. **The Chaptered HB1 did not impact this item.**

Item 35 - \$2.2 million for the Teacher Preparation Affordability Scholarship Fund. **The Chaptered HB1 did not impact this item.**

Section 7 – Information Technology (Non-Recurring)

Item 48 - \$274,000 to the Higher Education Department for the initiation and planning phase for a longitudinal data system. **No change during the special session.**

Section 8A (5) – Compensation Appropriations

- Thirty-three million thirty-one thousand seven hundred dollars (\$33,031,700) to the higher education department to provide faculty and staff of two-year and four-year public postsecondary educational institutions, New Mexico Military Institute, New Mexico School for the Blind and Visually Impaired and New Mexico School for the Deaf with an average salary increase of four percent. The NMSU System would have received \$8,378,900. **The chaptered HB1 eliminates the funding.**

Other Items (SB5)

- SB5 reduces the College Affordability Endowment Fund and the Student Financial Aid Special Programs Fund (both within the Higher Education Department) by \$2.0 million each for a total of \$4.0 million. **The reductions remained in the chaptered bill.**

SB5 AMENDMENTS TO 2019 AND 2020 CAPITAL OUTLAY PROJECTS

SB5 included reversions for capital outlay projects appropriated in SB280 (Chapter 277, Laws 2019) for some agencies and higher education institutions but did not include any for the NMSU system. The list of NMSU capital outlay projects are listed in the [2019 Final Post Session Report](#) starting on page 24 and the [2020 Final Post Session Report](#) starting on page 8.

PASSED LEGISLATION

A summary of the passed bills can be found in Table 10.

TABLE 5

FY21 General Appropriations for the NMSU System HB1 (Chapter 5, Laws 2020 1st Special) - Excluding Compensation - Recurring (\$ in thousands)							
Institution / Program (detail listed primarily in HB2 order, in thousands)	FY20 OPBUD with junior & comp	FY21 House Bill 2 Chapter 83	Special Session HB1 Chapter 5	\$ Change HB1 v FY21	%Change HB1 vs FY21	\$ Change HB1 v FY20	% Change HB1 vs FY20
Main – I&G	120,020.6	122,313.9	117,421.3	(4,892.6)	-4.0%	(2,599.3)	-2.2%
Federal CARES Stimulus SWAP	0	0	(3,255.0)	(3,255.0)	NA	(3,255.0)	NA
Athletics	3,724.1	3,949.1	3,712.2	(236.9)	-6.0%	(11.9)	-0.3%
Educational television and public radio	1,054.3	1,054.3	991.0	(63.3)	-6.0%	(63.3)	-6.0%
Alamogordo – I&G	7,323.8	7,374.9	7,079.9	(295.0)	-4.0%	(243.9)	-3.3%
Dual Credit adjustment	0	34.6	32.5	(2.1)	-6.0%	32.5	NA
Federal CARES Stimulus SWAP			(212.0)	(212.0)	NA	(212.0)	NA
Carlsbad – I&G	4,271.2	4,342.3	4,168.6	(173.7)	-4.0%	(102.6)	-2.4%
Dual Credit adjustment		83.8	78.8	(5.0)	-6.0%	78.8	NA
Federal CARES Stimulus SWAP			(202.5)	(202.5)	NA	(202.5)	NA
Dona Ana – I&G	23,658.3	24,106.4	23,142.1	(964.3)	-4.0%	(516.2)	-2.2%
Dual Credit adjustment		202.2	190.1	(12.1)	-6.0%	190.1	NA
Federal CARES Stimulus SWAP			(927.9)	(927.9)	NA	(927.9)	NA
Grants - I&G	3,526.1	3,568.1	3,425.4	(142.7)	-4.0%	(100.7)	-2.9%
Dual Credit adjustment		51.0	47.9	(3.1)	-6.0%	47.9	NA
Federal CARES Stimulus SWAP			(113.0)	(113.0)	NA	(113.0)	NA
Department of Agriculture	12,019.2	12,496.2	11,996.4	(499.8)	-4.0%	(22.8)	-0.2%
Veterinarians Externships		100.0	96.0	(4.0)	-4.0%	96.0	NA
Agricultural Experiment Station	14,948.6	15,148.6	14,542.7	(605.9)	-4.0%	(405.9)	-2.7%
Cooperative Extension Service	13,635.3	13,735.3	13,185.9	(549.4)	-4.0%	(449.4)	-3.3%
Research & Public Service Projects:						0.0	NA
NEW - Veterans Services	50.0	50.0	47.0	(3.0)	-6.0%	(3.0)	-6.0%
NEW - Sustainable Ag Center of Exc.	0	250.0	240.0	(10.0)	-4.0%	240.0	NA
STEM alliance for minority participation	318.0	318.0	298.9	(19.1)	-6.0%	(19.1)	-6.0%
NEW- Anna Age Eight Institute	0	874.0	821.6	(52.4)	-6.0%	821.6	NA
Mental health nurse practitioner	643.9	1,000.0	940.0	(60.0)	-6.0%	296.1	46.0%
Indian resources development	277.9	277.9	261.2	(16.7)	-6.0%	(16.7)	-6.0%
Manf. sector development program	674.6	674.6	634.1	(40.5)	-6.0%	(40.5)	-6.0%
Arrowhead Center for bus. Dev.	343.9	343.9	323.3	(20.6)	-6.0%	(20.6)	-6.0%
Nurse expansion	700.2	900.2	846.2	(54.0)	-6.0%	146.0	20.8%
Alliance teaching & learning adv.	155.9	155.9	146.5	(9.4)	-6.0%	(9.4)	-6.0%
Water resource research institute	931.9	1,131.9	1,064.0	(67.9)	-6.0%	132.1	14.2%
College assistance migrant program	205.8	205.8	193.5	(12.3)	-6.0%	(12.3)	-6.0%
Autism Program	614.0	614.0	577.2	(36.8)	-6.0%	(36.8)	-6.0%
Sunspot Solar Observatory Consortium	100.0	273.0	256.6	(16.4)	-6.0%	156.6	156.6%
Carlsbad – manf. sector dev. program	232.9	232.9	218.9	(14.0)	-6.0%	(14.0)	-6.0%
Carlsbad - nurse expansion	108.9	108.9	102.4	(6.5)	-6.0%	(6.5)	-6.0%
Dona Ana - dental hygiene program	206.0	306.0	287.6	(18.4)	-6.0%	81.6	39.6%
Dona Ana - nurse expansion	193.5	293.5	275.9	(17.6)	-6.0%	82.4	42.6%
Total NMSU	209,938.9	216,571.2	202,935.2	(13,636.0)	-6.3%	(7,003.7)	-3.3%
Summary by Major Category							
Instruction and General	158,800.0	162,077.2	150,876.3	(11,200.9)	-6.9%	(7,923.7)	-5.0%
Agriculture (NMDA, AES, CES)	40,603.1	41,380.1	39,724.9	(1,655.2)	-4.0%	(878.2)	-2.2%
Research and Public Service	5757.4	8110.5	7630.9	(479.6)	-5.9%	1,873.5	32.5%
Athletics	3724.1	3949.1	3712.2	(236.9)	-6.0%	(11.9)	-0.3%
Educational Tv	1,054.3	1,054.3	991.0	(63.3)	-6.0%	(63.3)	-6.0%
NMSU Total	209,938.9	216,571.2	202,935.2	(13,636.0)	-6.3%	(7,003.7)	-3.3%
Summary of I&G by Campus							
Main I&G	120,020.6	122,313.9	114,166.3	(8,147.6)	-6.7%	(5,854.3)	-4.9%
Alamogordo I&G	7,323.8	7,409.5	6,900.4	(509.1)	-6.9%	(423.4)	-5.8%
Carlsbad I&G	4,271.2	4,426.1	4,044.9	(381.2)	-8.6%	(226.3)	-5.3%
Dona Ana I&G	23,658.3	24,308.6	22,404.3	(1,904.3)	-7.8%	(1,254.0)	-5.3%
Grants I&G	3,526.1	3,619.1	3,360.3	(258.8)	-7.2%	(165.8)	-4.7%
Total	158,800.0	162,077.2	150,876.3	(11,200.9)	-6.9%	(7,923.7)	-5.0%

Table 6

HB1 Chapter 5, Laws 2020 1st Special Session Section 4 of HB2 - I&G and Non-I&G Dollars in Thousands							
Institution	FY20	FY21 HB2 Reg. Ses.	FY21 HB1 Spec. Ses.	\$ Change HB1 v HB2	\$Change HB1 v FY20	% Change HB1 v HB2	% Change HB1 v FY20
NMTech	39,028.4	40,115.4	37,833.5	(2,281.9)	(1,194.9)	-5.7%	-3.1%
NMSU	209,938.9	216,571.2	202,935.3	(13,635.9)	(7,003.6)	-6.3%	-3.3%
UNM	226,195.9	233,547.6	218,156.6	(15,391.0)	(8,039.3)	-6.6%	-3.6%
UNM-H	99,253.9	104,562.4	98,346.9	(6,215.5)	(907.0)	-5.9%	-0.9%
ENMU	48,059.5	50,439.4	47,325.6	(3,113.8)	(733.9)	-6.2%	-1.5%
NMHU	32,485.6	33,554.3	31,558.6	(1,995.7)	(927.0)	-5.9%	-2.9%
NNMC	11,995.7	11,866.8	11,013.4	(853.4)	(982.3)	-7.2%	-8.2%
WNMU	21,886.8	23,276.9	21,739.3	(1,537.6)	(147.5)	-6.6%	-0.7%
CNM	60,141.0	62,171.1	56,558.9	(5,612.2)	(3,582.1)	-9.0%	-6.0%
CCC	10,110.2	10,382.1	9,672.4	(709.7)	(437.8)	-6.8%	-4.3%
LCC	8,307.5	8,379.7	7,884.5	(495.2)	(423.0)	-5.9%	-5.1%
MCC	4,424.2	4,615.1	4,356.3	(258.8)	(67.9)	-5.6%	-1.5%
NMJC	6,783.2	6,958.6	6,282.7	(675.9)	(500.5)	-9.7%	-7.4%
SJC	24,998.0	25,812.3	23,848.3	(1,964.1)	(1,149.8)	-7.6%	-4.6%
SFCC	14,987.1	15,660.9	14,526.7	(1,134.2)	(460.4)	-7.2%	-3.1%
NMMI	3,011.5	3,211.5	2,907.2	(304.3)	(104.3)	-9.5%	-3.5%
NMSD	4,227.8	4,388.4	4,208.1	(180.3)	(19.7)	-4.1%	-0.5%
NMSBVI	1,519.2	1,545.4	1,474.1	(71.3)	(45.1)	-4.6%	-3.0%
Total	827,354.4	857,059.1	800,628.4	(56,430.7)	(26,726.0)	-6.6%	-3.2%

Note: HB1 as amended, amends HB2 from the regular session (Chapter 83, Laws 2020)

Subject to Department and Finance interpretation.

Table 7

HB1 Chapter 5, Laws 2020 1 st Special Session Section 4 of HB2 - I&G							
Dollars in Thousands							
Institution	FY20	FY21 HB2 Reg. Ses.	FY21 HB1 Spec. Ses.	\$ Change HB1 v HB2	\$Change HB1 v FY20	% Change HB1 v HB2	% Change HB1 v FY20
NMTech	28,308.7	28,891.5	27,283.1	(1,608.4)	(1,025.6)	-5.6%	-3.6%
NMSU	158,800.0	162,077.2	150,876.4	(11,200.8)	(7,923.6)	-6.9%	-5.0%
UNM	214,702.7	220,221.8	205,630.3	(14,591.5)	(9,072.4)	-6.6%	-4.2%
UNM-H	62,207.2	63,148.0	59,417.4	(3,730.6)	(2,789.8)	-5.9%	-4.5%
ENMU	42,737.1	44,757.0	41,984.2	(2,772.8)	(752.9)	-6.2%	-1.8%
NMHU	28,669.1	29,342.8	27,599.7	(1,743.1)	(1,069.4)	-5.9%	-3.7%
NNMC	10,403.2	10,581.3	9,805.0	(776.3)	(598.2)	-7.3%	-5.7%
WNMU	18,151.1	19,098.4	17,811.5	(1,286.9)	(339.6)	-6.7%	-1.9%
CNM	59,961.4	61,991.5	56,390.1	(5,601.4)	(3,571.3)	-9.0%	-6.0%
CCC	9,837.3	10,109.2	9,415.9	(693.3)	(421.4)	-6.9%	-4.3%
LCC	7,012.9	7,085.1	6,667.6	(417.5)	(345.3)	-5.9%	-4.9%
MCC	4,081.0	4,271.9	4,033.7	(238.2)	(47.3)	-5.6%	-1.2%
NMJC	5,713.1	5,888.5	5,276.8	(611.7)	(436.3)	-10.4%	-7.6%
SJC	24,573.0	25,137.3	23,213.8	(1,923.6)	(1,359.3)	-7.7%	-5.5%
SFCC	10,421.9	10,745.7	9,906.4	(839.3)	(515.5)	-7.8%	-4.9%
NMMI	1,373.6	1,373.6	1,179.6	(194.0)	(194.0)	-14.1%	-14.1%
NMSD	3,991.2	4,151.8	3,985.7	(166.1)	(5.5)	-4.0%	-0.1%
NMSBVI	1,046.2	1,072.4	1,029.5	(42.9)	(16.7)	-4.0%	-1.6%
Total	691,990.7	709,945.0	661,506.5	(48,438.5)	(30,484.2)	-6.8%	-4.4%

Note: HB1 as amended, amends HB2 from the regular session (Chapter 83, Laws 2020)

Subject to Department and Finance interpretation.

Table 8

HB1 Chapter 5, Laws 2020 1st Special Session Section 4 of HB2 - Non-I&G							
Dollars in Thousands							
Institution	FY20	FY21 HB2 Reg. Ses.	FY21 HB1 Spec. Ses.	\$ Change HB1 v HB2	\$Change HB1 v FY20	% Change HB1 v HB2	% Change HB1 v FY20
NMTech	10,719.7	11,223.9	10,550.5	(673.4)	(169.2)	-6.0%	-1.58%
NMSU	51,138.9	54,494.0	52,059.0	(2,435.0)	920.1	-4.5%	1.8%
UNM	11,493.2	13,325.8	12,526.3	(799.5)	1,033.1	-6.0%	9.0%
UNM-H	37,046.7	41,414.4	38,929.5	(2,484.9)	1,882.8	-6.0%	5.1%
ENMU	5,322.4	5,682.4	5,341.5	(340.9)	19.1	-6.0%	0.4%
NMHU	3,816.5	4,211.5	3,958.8	(252.7)	142.3	-6.0%	3.7%
NNMC	1,592.5	1,285.5	1,208.4	(77.1)	(384.1)	-6.0%	-24.12%
WNMU	3,735.7	4,178.5	3,927.8	(250.7)	192.1	-6.0%	5.1%
CNM	179.6	179.6	168.8	(10.8)	(10.8)	-6.0%	-6.00%
CCC	272.9	272.9	256.5	(16.4)	(16.4)	-6.0%	-6.00%
LCC	1,294.6	1,294.6	1,216.9	(77.7)	(77.7)	-6.0%	-6.00%
MCC	343.2	343.2	322.6	(20.6)	(20.6)	-6.0%	-6.00%
NMJC	1,070.1	1,070.1	1,005.9	(64.2)	(64.2)	-6.0%	-6.00%
SJC	425.0	675.0	634.5	(40.5)	209.5	-6.0%	49.3%
SFCC	4,565.2	4,915.2	4,620.3	(294.9)	55.1	-6.0%	1.2%
NMMI	1,637.9	1,837.9	1,727.6	(110.3)	89.7	-6.0%	5.5%
NMSD	236.6	236.6	222.4	(14.2)	(14.2)	-6.0%	-6.00%
NMSBVI	473.0	473.0	444.6	(28.4)	(28.4)	-6.0%	-6.00%
Total	135,363.7	147,114.1	139,121.9	(7,992.2)	3,758.2	-5.4%	2.8%

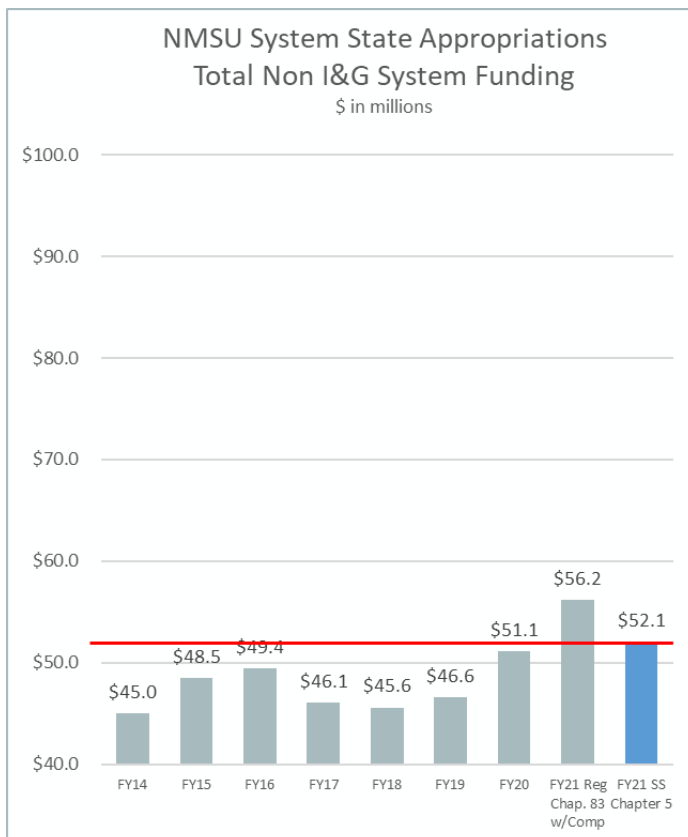
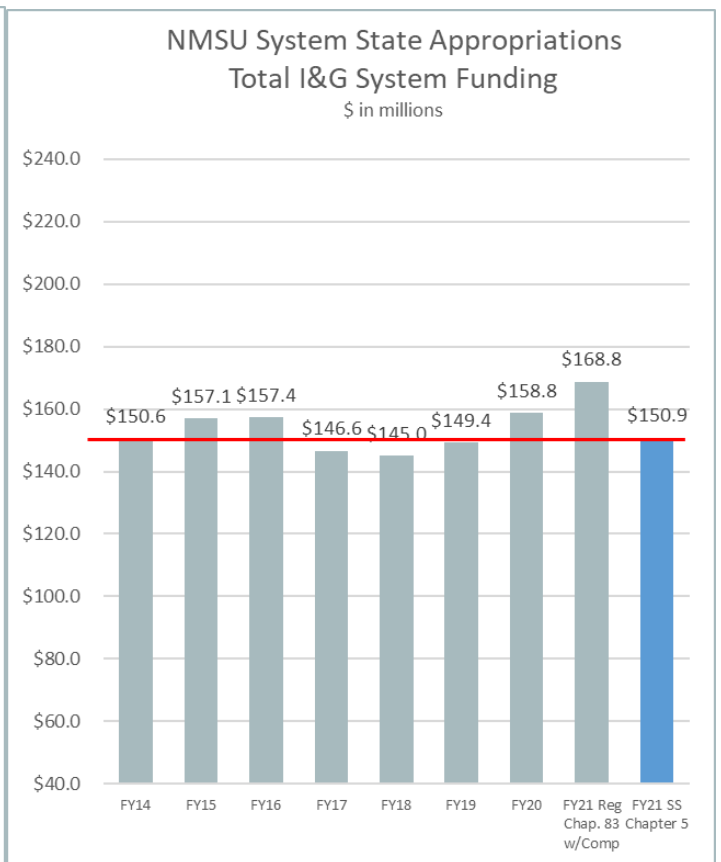
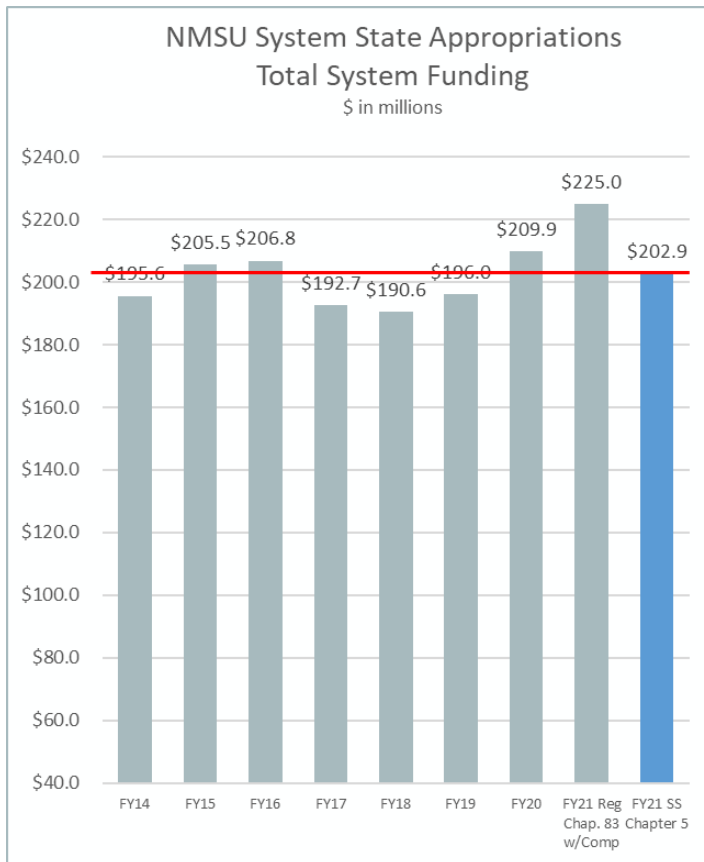
Note: HB1 as amended, amends HB2 from the regular session (Chapter 83, Laws 2020)

Subject to Department and Finance interpretation.

Table 9

2020 Special Session - Summary of Higher Education Related Funding						
HB2 Regular Session Location	Special Session Bills & Section	Item/Agency	HB2 Regular Session		Sp. Session	Change Recurring & Non- recurring
			Recurring	Non- Recurring	Chaptered Solvency Bills	
Section 4J(3)	HB1 - 3A(20)	Opportunity Scholarship (HED)	12,000,000	NA	5,000,000	(7,000,000)
Section 4J Institutions	HB1 - 4A(4) & (5)	Universities, Colleges and Special Schools	857,059,100		800,628,400	(56,430,700)
Section 5, Item 48	HB1 - 7A(11)	Worker Retraining Programs at NM Tech and NMSU (EDD)		1,000,000	0	(1,000,000)
Section 5, Item 128	NA	Grow Your Own Teachers Fund (PED)		500,000	500,000	0
Section 5, Item 135	NA	Legislative Lottery Tuition Fund (HED)		9,700,000	9,700,000	0
Section 5, Item 135	HB1 - 7A(31)	Opportunity Scholarship (HED) - Line-item-veto		5,000,000	5,000,000	0
Section 5, Item 135	HB1 - 7A(31)	Teacher Preparation Affordability Scholarship (HED)		5,000,000	0	(5,000,000)
Section 5, Item 135	NA	FAFSA Completion Programs (HED)		300,000	300,000	0
Section 5, Item 138	HB1-7A(32)	NMDA Soil and Water Conservation Committee (NMDA)		1,800,000	0	(1,800,000)
Section 6, Item 46	NA	Teacher Loan Repayment Program (HED)		1,100,000	1,100,000	0
Section 6, Item 46	NA	Teacher Preparation Affordability Scholarship Fund (HED)		2,200,000	2,200,000	0
Section 7, Item 48	NA	IT Longitudinal Data System (HED)		274,000	274,000	0
Section 8A(5)	HB1 - 11	Compensation Appropriations (4%) (Institutions)	33,031,700		0	(33,031,700)
NA	SB5 - 9J	Transfer from the College Affordability Endowment Fund (HED)			(2,000,000)	(2,000,000)
NA	SB5 - 9K	Transfer from Student Financial Aid Special Programs Fund (HED)			(2,000,000)	(2,000,000)
Total			902,090,800	26,874,000	820,702,400	(108,262,400)

Charts 1-3 (Source: Office of Government Relations Files)



Charts 3-6 (Source: LFC Volume 2 for FY15-20 and HED GF Summary for FY21 regular and Special Session)



Table 10

2020 Special Session Passed Bills		
Bill	Short Title	Description
HB 1	General Appropriations Act Sanding	HB 1 amends HB 2 (Chapter 83 Laws 2020) from the regular session (See Table 4 for NMSU line-item details)
HB 5	New Mexico Civil Rights Commission	House Bill 5 would create the New Mexico Civil Rights Commission for the purpose of evaluating and making recommendations regarding the creation of a civil right of action for violations of state constitutional rights, as well as developing policy proposals for laws for the prohibition or limitation of the use of qualified immunity by state actors. This bill creates and designates nine members to the commission, six appointed by the New Mexico Legislative Council and three by the governor, as well as establishes procedures and rules for commission members.
HB 6	Temporary Waivers & Distributions	HB 6 implements temporary provisions to waive penalties and interest for tax liabilities related to (1) personal and corporate income taxes due between April 15, 2020 and July 15, 2020, (2) withholding taxes due between March 25, 2020 and July 25, 2020, (3) oil and gas proceeds and pass-through entity withholding taxes due between April 15, 2020 and July 25, 2020, (4) gross receipts and compensating taxes due between April 25, 2020 and July 25, 2020, and (5) managed audits performed between September 3, 2019 and January 3, 2020. The waiving of penalties and interest appears intended to provide flexibility to taxpayers unable to make tax payments due to the outbreak of a novel coronavirus that causes COVID-19. The bill also amends Section 7-1-6.64 NMSA 1978 to double the temporary monthly distribution in FY21 to municipalities from \$1.25 million to \$2.5 million and to counties from \$750 thousand to \$1.5 million; each to be distributed to local governments in proportion to the population for each government based on the most recent federal decennial census. Finally, the bill changes corporate income tax (CIT) definitions of net operating losses to conform to the definitions found in the federal Tax Cuts and Jobs Act of 2017, preventing CIT changes instituted in the CARES Act. NO IMPACT ON NMSU OR HIGHER ED
SB 3	Small Business Recovery Act 2020	Senate Bill 3 creates the Small Business Recovery Act of 2020 and requires the State Investment Council (SIC) to commit the lesser of \$400 million or 10 percent of the value of the severance tax permanent fund (STPF) to the New Mexico Finance Authority (NMFA) for “small business recovery loans”. The bill also requires 1 percent of the STPF be committed to

2020 Special Session Passed Bills		
Bill	Short Title	Description
		NMFA for loans to local governments to provide emergency economic relief. NO IMPACT ON NMSU OR HIGHER ED
SB 4	Temporary Election Changes	<p>Senate Bill 4 (SB4) enacts a new section of the Election Code (Section 1-12-72 NMSA 1978) including provisions related to conducting the general election on November 3, 2020, under a continuing COVID-19 pandemic. Key provisions include:</p> <ul style="list-style-type: none"> • The Secretary of State (SOS) may authorize an election day polling location (except those located on Indian Nation, Tribal, or Pueblo land) to operate as a mail ballot election precinct, rather than a voter convenience center, provided that the county clerk has requested a written waiver at least 90 days before the general election and the location is unable to meet data connectivity requirements for voter convenience centers or is located in a remote area of a county. • A polling place on Indian Nation, Tribal, or Pueblo land will not be closed or consolidated with another polling location. There will be at least one polling location within the boundaries of the Indian Nation, Tribe, or Pueblo. • County clerks can automatically deliver a mailed ballot application or a mailed ballot to each “mailable voter,” provided the county clerk notifies SOS at least 90 days before the general election. <p>NO IMPACT ON NMSU OR HIGHER ED</p>
SB 5	Solvency Measures – Swaps and Sweeps	<p>Addresses solvency by voiding/reverting GF appropriations for certain capital projects; authorizing issuance of short-term STBs, short-term Supplemental STBs (SSTBs) and state transportation project bonds; providing for transfers to GF and Appropriation Contingency Fund from other funds; & repealing Laws of 2020, Chapter 64, Sections 1-4.</p> <p>SB 5 also reverts \$2.0 million FY20 GF from College Affordability Endowment Fund and \$2.0 million FY20 GF from HED's Student Financial Aid Special Programs Fund.</p> <p>IMPACT STUDENT FINANCIAL AID</p>

2020 Special Session Passed Bills

Bill	Short Title	Description
SB 8	Law Enforcement Body Cameras	<p>Senate Bill 8 would create a new section of law requiring peace officers employed by certain law enforcement agencies who routinely interact with the public to wear a body-worn camera while on duty. Under the definition of law enforcement agency contained in this bill, this section of law applies to municipal police departments, county sheriffs' offices, the New Mexico State Police, and the Department of Public Safety. Peace officer is defined as "any full-time salaried or certified part-time salaried officer who by virtue of office or public employment is vested by law with the duty to maintain the public peace."</p> <p>Law enforcement agencies are required to develop policies and procedures governing the use of these cameras, including requiring cameras be activated during calls for service or other law enforcement or investigative encounters between the officer and a member of the public, prohibiting deactivation of cameras until the end of the encounter, prohibiting the recording of general activity, requiring videos be retained by law enforcement agencies for at least 120 days, and establishing disciplinary rules for officers who fail to operate their cameras in accordance with these policies or who manipulate or prematurely erase video recordings. The requirements for peace officers to wear body cameras and for the agencies that employ them to develop policies related to their use and retain their footage apply only to municipal police departments, county sheriffs' offices, the New Mexico State Police, and the Department of Public Safety. This excludes other state agencies that employ law enforcement officers who are sometimes defined as peace officers (such as the Corrections Department's correctional officers and probation and parole officers), tribal police departments, and university police departments. The bill also adds that peace officers who fail to comply with the policies and procedures related to the use of body-worn cameras shall be presumed to have acted in bad faith. The bill specifies that peace officers who fail to comply with these policies and procedures are liable for the independent tort of negligent spoliation of evidence or the independent tort of intentional spoliation of evidence. NMSU was one of the first departments in the state to establish policies regarding the use of lapel cameras.</p>