



STATE OF NEW MEXICO EXECUTIVE OFFICE SANTA FE, NEW MEXICO

Proclamation

WHEREAS, immediate consideration of issues critical to the economic health and welfare and public safety of New Mexico and its citizens is necessary and such conditions have arisen since the conclusion of the First Session of the Forty-Ninth Legislature;

WHEREAS, the national economic recession has caused unavoidable and severe impacts to the state's economy, leading to budget projections indicating that the state faces a significant budget shortfall in fiscal years 2009 and 2010;

WHEREAS, current economic conditions make it incumbent upon state government officials to balance the budget and provide a foundation for enduring economic stability; and

WHEREAS, this administration believes that the state budget can be balanced by making fiscally responsible reductions to state expenditures that do not harm public education and without raising taxes.

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 3 o'clock p.m., Saturday, October 17, 2009, 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 transfer of funds from the tax stabilization reserve and the general fund operating reserve to the general fund for purposes of meeting fiscal year 2009 appropriations;*
- 2. legislation to balance the state's fiscal year 2010 budget, limited to such measures as set forth below, and excluding any other measures that would alter existing taxation and/or revenue enhancement structures:*
 - the transfer of certain fund and appropriation balances to the general fund for purposes of meeting expenditures from the general fund;*



- *the reduction and deauthorization of appropriations made in the General Appropriation Act of 2008, the General Appropriation Act of 2009, Laws 2009, Chapter 1, and various capital outlay bills;*
 - *the enactment of new sections of law and amendments to existing sections of law to implement appropriation reductions made in the first special session of the forty-ninth legislature;*
 - *the enactment of increased fiscal year 2010 budget adjustment authority for all state agencies;*
 - *the appropriation of funds from the tobacco settlement program fund to the medical assistance program of the human services department to offset general fund appropriation reductions;*
 - *the appropriation of funds from the general fund to the second judicial district court to meet operational expenses in fiscal year 2010;*
 - *the authorization for the State Board of Finance to issue short-term supplemental severance tax bonds and severance tax bonds, the appropriation of the proceeds of those bonds to the general fund to restore the general fund for allotments made from the general fund for general fund capital appropriations in previous sessions and appropriations in the General Appropriation Act of 2009 for the administration of capital projects or the maintenance of capital projects, and the amendment of Section 7-27-12 NMSA 1978 to authorize the issuance of supplemental severance tax bonds for such purposes;*
 - *the voiding of certain appropriations of severance tax bond proceeds and the appropriation of bond proceeds for other capital projects;*
 - *the amendment of Section 22-11-21 NMSA 1978 to temporarily reduce the employer's contributions under the Educational Retirement Act, with previously scheduled contribution increases being fully phased in beginning in fiscal year 2013; and*
 - *the amendment of Section 7-1-6.56 NMSA 1978 to delay a \$250,000 per month distribution to the retiree health care fund scheduled to begin on July 1, 2009, until June 30, 2011, and the transfer to the general fund of monthly distributions that occurred under current law since July 1, 2009.*
3. *the appropriation of legislative cash balances for the purpose of paying the expenses of the special session called pursuant to this Proclamation.*



4. *legislation concerning the objects in this proclamation shall not include measures reducing salaries or raising tax rates, reducing or eliminating tax credits, rebates, exemptions, or deductions, or imposing new taxes.*

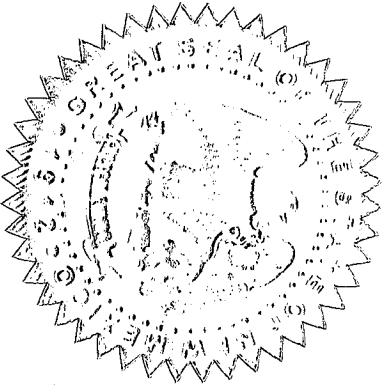
Attest:

A handwritten signature in cursive script, appearing to read "Mary Herrera".

Mary Herrera
Secretary of State

*Done at the Executive Office this 17th day
of October, 2009.*

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



A handwritten signature in cursive script, appearing to read "Bill Richardson".

Bill Richardson
Governor