



LEGISLATIVE BULLETIN

VOL. 2021-5
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LEGISLATURE APPROPRIATES \$478 MILLION IN FEDERAL FUNDS; APPROVES REDISTRICTING MAPS

The Second Special Session of the 55th Legislature met from December 6 through December 17, 2021. While the special session was convened to approve one-in-a-decade redistricting maps, the Legislature also appropriated \$478 million in federal funds from the state’s share of American Rescue Plan Act (ARPA) federal relief funds, and also passed a bill limiting malpractice claims against independent medical providers.

House Bill 2 (General Appropriations Act) transfers nearly \$1.1 billion – the remaining balance of the ARPA state relief fund – to the appropriation contingency fund in the general fund. Of that amount, the bill appropriates \$345 million to several agencies for expenditure in FY22 through FY25. The largest appropriation is \$142 million to the New Mexico Department of Transportation for nine road projects across the state (see sidebar). Other large appropriations include \$50 million for construction of an acute care hospital in a county with less than 100,000 residents and \$20 million for upgrades at state parks. House and Senate finance committee amendments removed appropriations for the water project fund, land acquisitions by the Department of Game and Fish, and some funding for broadband projects.

HB2 also appropriates over \$133 million in federal ARPA capital project funds. Of that funding, \$123 million is appropriated to the Department of Information Technology for statewide broadband projects, and \$10 million is appropriated to the Public Education Department for broadband connectivity to tribal libraries.

- | House Bill 2 Appropriations for Statewide Road Projects |
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| • Interstate 40 corridor in McKinley and Cibola counties |
| • A new state road in Santa Teresa in Dona Ana County |
| • NM highway 128 from Carlsbad to Jal in Eddy and Lea counties |
| • NM highway 180 in Grant County |
| • Bobby Foster road to Mesa Del Sol in Bernalillo County |
| • Interstate 25 from Montgomery boulevard to Comanche road in Bernalillo County |
| • Cerrillos road in Santa Fe County |
| • Pinon Hills boulevard in San Juan County |
| • NM highway 39 in Mosquero in Harding and San Miguel counties |

See table on page 2 for full HB2 appropriation breakdown.

Remaining ARPA state relief funds will be allocated during the 2022 regular legislative session. New Mexico received \$1.75 billion as part of ARPA. The funding has broad allowable uses, including responding to the public health emergency, covering revenue losses, making investments in broadband, water, or sewer infrastructure, or providing assistance to businesses, households, and nonprofits affected by the pandemic.

House Bill 11 (Medical Malpractice Changes) makes several changes to the Medical Malpractice Act. The Act, which will go into effect on January 1, caps malpractice claims against large hospitals at \$4 million and claims against smaller providers at \$750,000. HB11 amends the Act to also limit claims against independent healthcare providers acting as agents of hospitals or outpatient care facilities to \$750,000.

Senate Bill 1, Senate Bill 2, House Bill 8, and House Bill 9 create new district maps for U.S. Congress, the state Senate, state House, and the Public Education Commission, respectively. See adopted maps on pages 3-6 (as of December 20, SB2 and HB8 had not yet been signed by the Governor).

The 30-day regular session (Second Session of the 55th Legislature) begins on January 18 and runs through February 17. See page 7 for a summary of how legislation is passed in New Mexico.

Your legislator can be reached by name through the legislative switchboard: (505)-986-4300 in Santa Fe. The Legislature's website (www.nmlegis.gov) also contains legislator's email addresses. You can also check the League's website (www.nmml.org) for other League information.

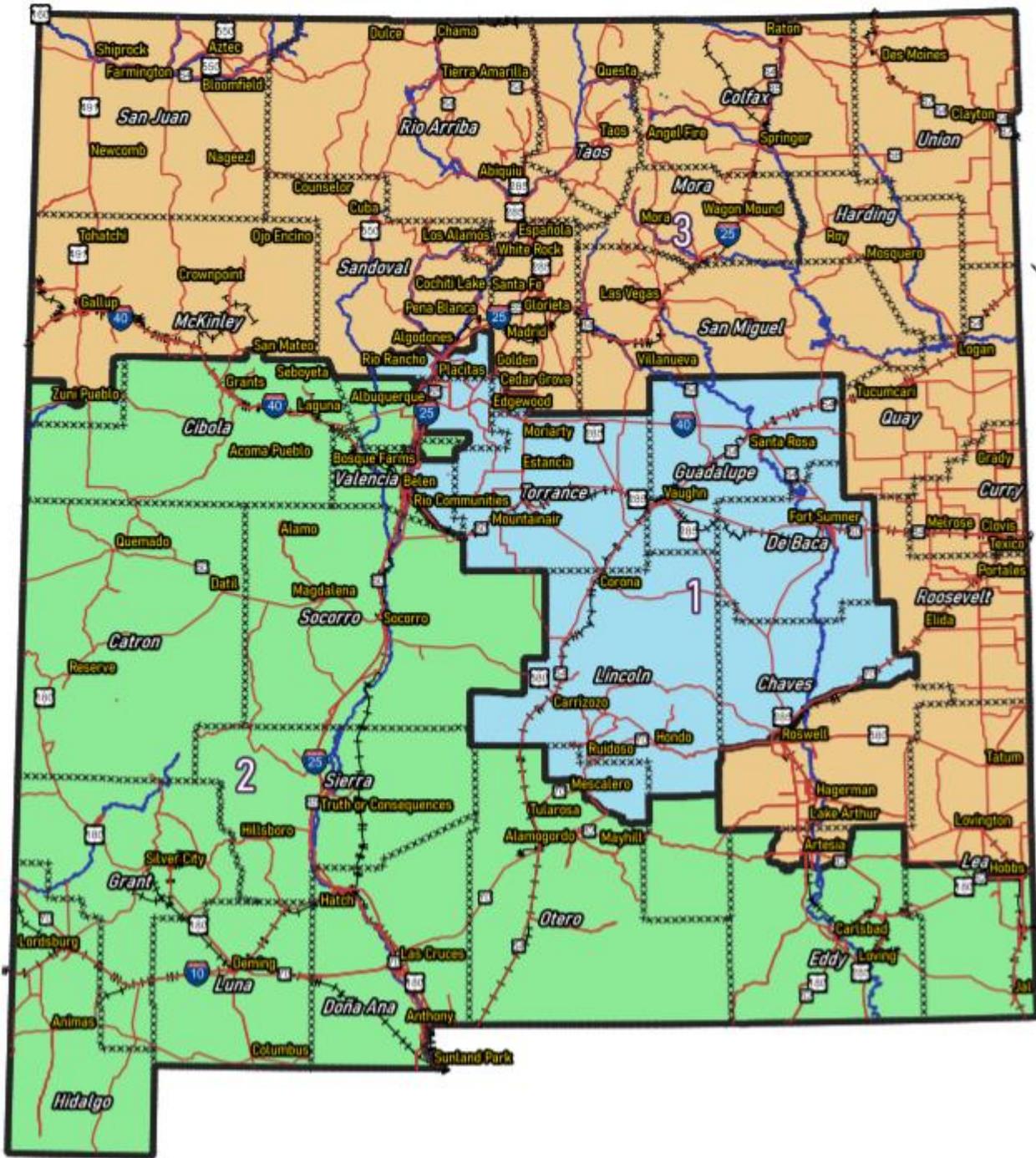
House Bill 2 Appropriations and Transfers

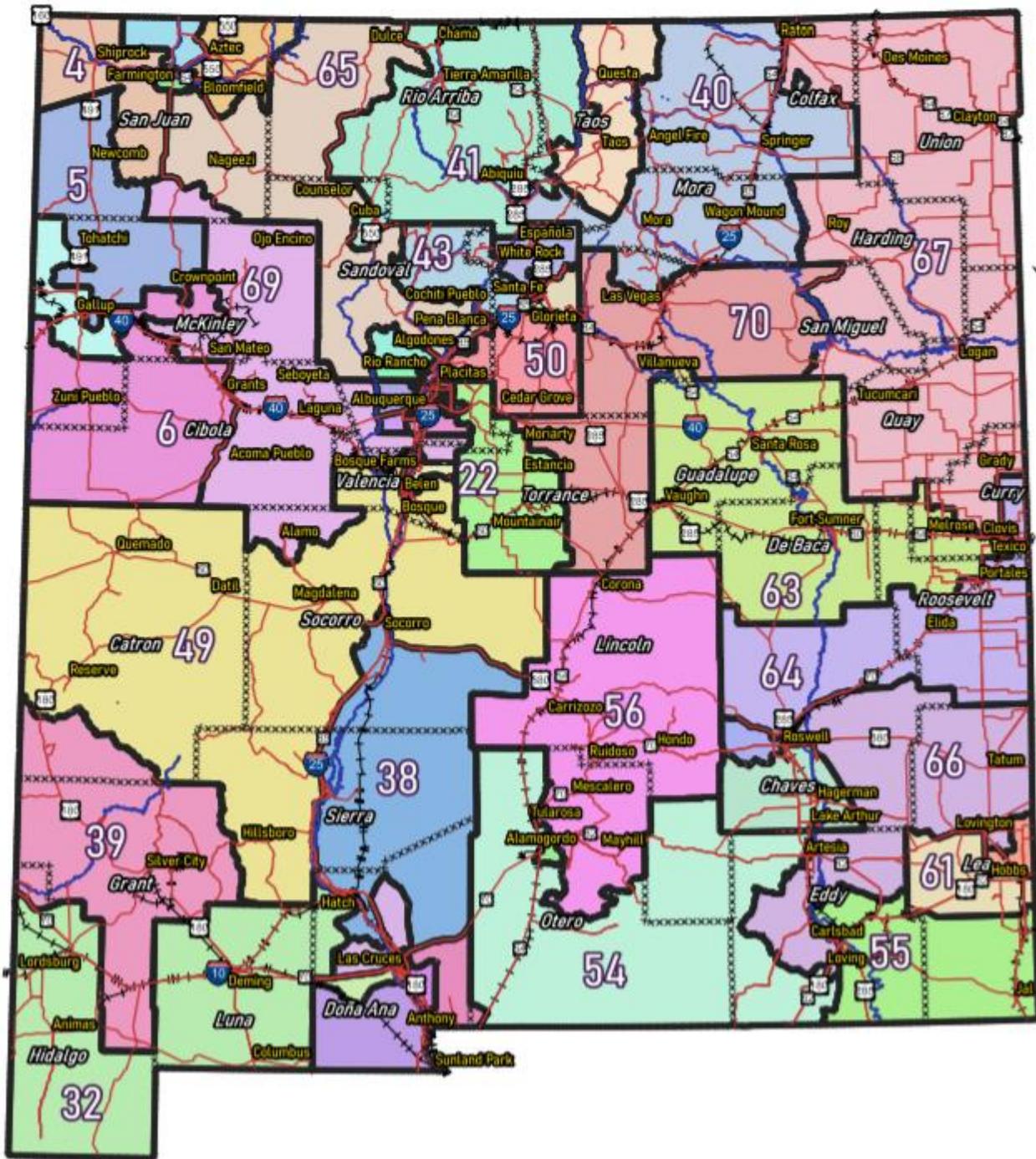
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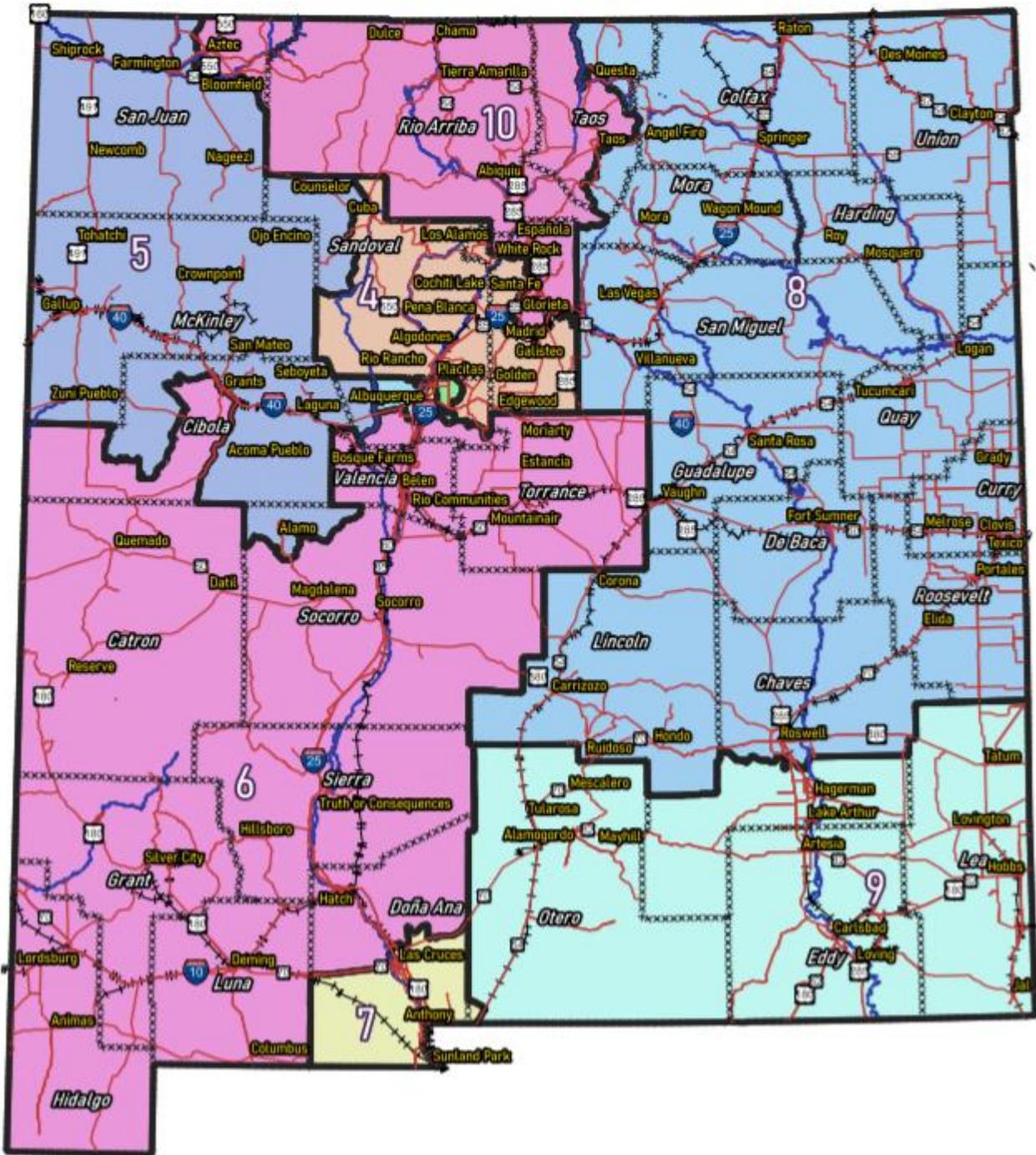
Agency	ARPA Funding to General Fund	ARPA Capital Funding	Description
Appropriations			
Admin Office of the Courts	\$500		For pretrial services monitoring
DOIT		\$123,067	For broadband, including alternative broadband and satellite, statewide
EMNRD	\$20,000		For upgrades at state parks statewide
EMNRD	\$3,500		For orphan and inactive well planning, identification and program implementation
Economic Development Dept.	\$7,000		For outdoor recreation grants
Department of Environment	\$10,000		For surface water quality and river habitats statewide
Dept. of Finance & Admin	\$10,000		To provide housing assistance for homeless persons contingent on 100 percent local match
Dept. of Finance & Admin	\$15,000		For disbursement to NMMFA for expenditure on energy efficient affordable housing
Dept. of Finance & Admin	\$50,000		To construct and equip an acute care hospital in a county with less than 100,000 residents
Dept. of Finance & Admin	\$435		For grants administration
Dept. of Finance & Admin	\$500		For temporary assistance to local governments in advancing capital outlay and projects funded through ARPA
Tourism Dept.	\$15,000		For tourism marketing advertising
Human Services Dept.	\$5,000		For assistance for food banks
General Services Dept.	\$15,000		For COVID related costs for the group health benefits program
Dept. of Transportation	\$10,000		For electric vehicle charging stations statewide
Dept. of Transportation	\$10,000		For planning and upgrades to airports statewide
Dept. of Transportation	\$10,000		For clean up New Mexico roadway beautification program
Dept. of Transportation	\$142,500		For major statewide road projects
Public Education Dept.		\$10,000	For upgrades to deliver broadband for tribal libraries statewide
Transfers			
Economic Development Dept	\$3,000		For the outdoor equity grant program fund
Higher Ed Dept.	\$2,000		For the teacher loan repayment fund
Higher Ed Dept.	\$15,000		For higher education program development enhancement fund to expand nursing programs
Other Appropriations			
LCS	\$1,000		For a legislative processing system
TOTAL	\$345,435	\$133,067	

NM Congressional: 221711.1 SJC/SB 1

New Mexico







Anatomy of a Bill

A bill is introduced by a sponsoring legislator on the floor of either house, numbered by the clerk and referred for consideration to one or more committees of that house. The deadline for introduction of all bills except appropriations bills or bills requested by the Governor (special messages) is noon on the 30th day of a 60-day session or noon on the 15th day of a 30-day session.

Committee recommendations usually determine the success or failure of a bill. A bill may be amended in committee or on the floor at any point in the process – sometimes changed so significantly that its own author would not recognize it – or a substitute measure with the same number and general subject matter may be put in its place.

If you are interested in a particular bill, do not be discouraged if it seems to sit for a long time in committee, particularly in a tax, finance, or appropriations committee. Bills requesting money or taxing authority often lie dormant until the last few days of a session and then move quickly.

If a bill passes successfully through its committee referrals, it returns to the floor of the chamber in which it was introduced for floor consideration. If it passes that chamber, it goes to the other chamber. However, it may also be tabled, referred again, or defeated.

In the second chamber the bill is again considered in one or several committees and it may again be amended or substituted. If it gets through its committee assignments, it returns to the floor of that chamber for consideration and may from there be referred, tabled, passed, or defeated.

If the bill passes the second chamber after being amended or substituted, the originating chamber must concur or fail to concur with the changes. If the originating chamber fails to concur, a conference committee representing both chambers is appointed to decide what to present to both chambers for acceptance.

A bill that has been passed by both the House and the Senate goes to the Governor for signature. The Governor may choose to sign or veto the bill. If the bill contains an appropriation, the Governor may veto portions if she wishes (*line-item veto*); if it does not, she may only veto the entire bill. If vetoed, 2/3 of the House and 2/3 of the Senate must vote in favor of the bill in order to override the veto. If the veto override fails, the bill dies.

Most bills do not reach the Governor's desk before the Legislature adjourns. The Governor has 20 days following the close of the session to sign, veto, or fail to sign (*pocket veto*) any bill that he or she did not act on during the session. In New Mexico, very few bills make it all the way to enactment. The historic trend in New Mexico is for more and more introductions each succeeding session.

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General Abbreviation Codes

- HB – House Bill
- HCR – House Concurrent Resolution
- HJR – House Joint Resolution
- HJM – House Joint Memorial
- HM – House Memorial
- SB – Senate Bill
- SCR – Senate Concurrent Resolution
- SJR – Senate Joint Resolution
- SJM – Senate Joint Memorial
- SM – Senate Memorial

* - Contains Emergency Clause
CA – Constitutional Amendment

House Committees

HAFC – Appropriations and Finance
HAGC – Agriculture and Water Resources
HCEDC – Commerce and Economic Development
HCPAC – Consumer and Public Affairs
HCW – Committee of the Whole
HEC – Education
HENRC – Energy, Environment and Natural Resources
HHHC – Health and Human Services
HJC – Judiciary
HLLC – Local Government, Land Grants and Cultural Affairs
HLVMC – Labor, Veterans’ and Military Affairs
HRC – Rules and Order of Business
HSEIC – State Government, Elections & Indian Affairs
HTPWC – Transportation, Public Works & Capital Improvements
HTRC – Taxation and Revenue

Senate Committees

SCC – Committee’s Committee
SCONC – Conservation
SCW – Committee of the Whole
SEC – Education
SFC – Finance
SHPAC – Health and Public Affairs
SIRC – Indian, Rural and Cultural Affairs
SJC – Judiciary
SRC – Rules
STBTC – Tax, Business and Transportation