

TITLE 1: GOVERNMENT
DIVISION 7: PLANNING, BUDGETING AND AUDITING

§ 7403. Emergency Powers.

(a) Whenever the Governor uses his authority pursuant to N.M.I. Const. art. III, § 10, the Governor shall as soon as practicable transmit to the legislature a report describing in detail the emergency which required exercise of such authority, the measures being taken to deal with the emergency, and a financial plan for meeting the cost of these measures. This plan shall indicate any function, program, or project which will have to be curtailed or deferred during the emergency due to the emergency itself or due to fiscal constraints, any additional revenues which may be needed to ensure sufficient funds, and any additional information which the Governor deems appropriate. This plan shall also include, if a determination can be made at that time, the recommendations of the Governor for any necessary reprogramming, appropriations, or any other statutory changes which the Governor deems advisable to deal with the emergency or to adjust the fiscal position of the government subsequent to the emergency. If this determination cannot be made at that time, the recommendation shall be transmitted to the legislature as soon as practical. A state of emergency shall automatically terminate within 60 days of its proclamation; unless the Governor shall, prior to the end of the 60 day period, notify the presiding officers of the legislature that the state of emergency has been extended, for a like term, and giving the reason for extending the state of emergency.

(b) If the legislature is not in session when the Governor prepares the report required by subsection (a) of this section, the Governor shall call the legislature into special session for the purpose of receiving the report, and of taking other action as may be necessary under the circumstances, as soon as it is physically prudent to hold a special session.

Source: PL 3-68, § 403.