

April 15, 2004

**MEMORANDUM**

**TO:** Persons Interested

**FROM:** D. Pauline Rindone

**RE:** Public School-Related Legislation Introduced but **Not Passed** by the Forty-Sixth Legislature, Second Session, 2004

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On March 15, 2004, I distributed the summary of public school-related legislation passed by the Forty-Sixth Legislature, Second Session, 2004, **after executive action**.

To complete the review of the 2004 legislative activity, the accompanying list summarizes the public school-related legislation that was introduced but **did not pass**. This list is distributed upon request and also posted on our website.

**FAILED**  
**PUBLIC SCHOOL-RELATED LEGISLATION**  
**FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004**

**HOUSE BILLS**

- \*H 3a EDUCATION APPROPRIATION ACT, *Miera* — appropriates over \$1.9 billion from the General Fund for Public School Support, including, among others, the State Equalization Guarantee, Public School Transportation, the Instructional Material Fund, the Educational Technology Fund, the Incentives for School Improvement Fund, and other related appropriations for public school support. (Succeeding entries: H 2)
- H 8 GENERAL APPROPRIATION ACT OF 2004, *Coll* — makes general appropriations from the General Fund and authorizes the expenditures by agencies for FY 05; among its provisions, appropriates approximately \$1.9 billion in Public School Support and education-related appropriations from the General Fund to public schools in FY 05; public school support appropriations include the State Equalization Guarantee, Public School Transportation, the Instructional Material Fund, the Educational Technology Fund, and the Incentives for School Improvement Fund; and other related appropriations. (Succeeding entries: H 2)
- H 15 GRANDPARENTS RAISING GRANDCHILDREN SERVICES, *Boykin* — appropriates \$72,000 from the General Fund to CYFD for FY 05 and FY 06 to provide services to grandparents raising grandchildren in Doña Ana County, including support for obtaining after-school care, transportation, and tutoring for their grandchildren.
- H 18a CREATE NM GOVERNMENT EDUCATION FUND, *Luna* — creates the New Mexico Government Education Fund in the State Treasury, to be administered by PED.
- H 31a MID-SCHOOL TEACHER SCIENCE & MATH TRAINING, *Salazar* — appropriates \$260,000 from the General Fund to the Board of Regents of NNMSS for FY 05 to provide a program to improve the skills, technical knowledge, and teaching techniques of middle school science, math, and technology teachers; and requires a program evaluation.
- H 33 NORTHERN NM STATE SCHOOL TEACHER EDUCATION, *Salazar* — authorizes the Board of Regents of NNMSS to develop, implement, and seek accreditation for a baccalaureate degree program in teacher education for the Española campus; and appropriates \$200,000 from the General Fund to develop the program.
- H 41 INDIAN YOUTH PROGRAM, *Begaye* — appropriates \$500,000 from the General Fund to the Office of Indian Affairs for FY 05 to contract for culturally relevant programs and services for Indian youth in Gallup. (May affect public schools)
- H 42 IMPACT AID REVENUE AS FEDERAL REVENUE, *Begaye* — amends the Public School Finance Act to reduce from 75 to 50 the percentage of federal Impact Aid that can be considered for purposes of the State Equalization Guarantee distribution.

*FAILED*  
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*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- H 43 KINDERGARTEN PLUS PILOT PROJECT, *Stewart* — appropriates \$100,000 from the General Fund to PED for FY 05 to fund the second year of the Kindergarten Plus Pilot Project.
- H 56a NMSU RURAL HEALTH AWARENESS PROGRAM, *Garcia, MH* — appropriates \$260,000 from the General Fund to the Board of Regents of NMSU for FY 05 to expand the Cooperative Extension Service Rural Health Awareness Program; and requires a program evaluation. (May affect public schools)
- H 57a NM ALLIANCE FOR MINORITY PARTICIPATION, *Garcia, MH* — appropriates \$250,000 from the General Fund to the Board of Regents of NMSU for FY 05 to support the Alliance for Minority Participation and the Regional Alliance for Science, Engineering and Mathematics Students with Disabilities for several programs, among them public school outreach and teacher training; and requires a program evaluation.
- H 69 CHILDREN’S PERFORMING ARTS PROGRAM, *Varela* — appropriates \$75,000 from the General Fund to the Office of Cultural Affairs for FY 05 to contract with a nonprofit performing arts program for children’s performing arts program services.
- H 71 SOUTHEAST NM EDUCATIONAL RESOURCE CENTER, *Heaton* — appropriates \$365,000 from the General Fund to PED for FY 05 for an educational resource center serving the southeastern region of the state to support middle schools that implement career technical education programs based on a model developed by the Career Dreams Educational Foundation.
- H 72a NMSU-CLOVIS SCIENCE CENTER RESEARCH PROGRAMS, *Campos* — appropriates \$582,000 from the General Fund to the Board of Regents of NMSU for FY 05 to enhance certain research and education programs relating to water conservation and agriculture; and requires a program evaluation. (May affect public schools)
- H 73a CREATE NMSU AEROSPACE ENGINEERING PROGRAM, *Lujan, A* — appropriates \$350,000 from the General Fund to the Board of Regents of NMSU for FY 05 to create an aerospace engineering department; and requires a program evaluation. (May affect public schools)
- H 81 NM VIRTUAL SCHOOL EXPANSION, *Heaton* — appropriates \$400,000 from the General Fund to PED for FY 05 for the New Mexico Virtual School to provide statewide curriculum and instruction through interactive technologies and to expand the New Mexico Virtual School into middle schools. (For the LESC)
- \*H 87 CREATE HEALTH CARE PURCHASING AUTHORITY, *Picraux* — creates the Health Care Purchasing Authority, with 23 members, including general school personnel appointed by the Governor upon recommendations from certain groups; specifies powers and duties of the Authority, one of which is to procure health care benefits and other coverages authorized by the Health Care Purchasing Act in accordance with the Procurement Code; designates the

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General Services Department as the group policyholder for health care benefit plans; creates the Health Care Purchasing Fund, with separate subaccounts for participants of the Retiree Health Care Act, the Group Benefits Act, the New Mexico Public Schools Insurance Authority (NMPSIA), or a school district with more than 60,000 students; and provides for the transfer of property from NMPSIA and other health care authorities to the General Services Department. (For the Governor) [Identical to \*S 101]

- H 91a NM NURSING EDUCATION SUPPORT, *Taylor,JP* — appropriates \$500,000 from the General Fund to the Board of Regents of NMSU for FY 05 to support the Bachelor of Science in nursing program and to maintain the Master of Science in nursing program; and requires a program evaluation.
- H 95a MATH & SCIENCE TEACHER DEVELOPMENT, *Stewart* — appropriates \$230,000 from the General Fund to PED for FY 05 to provide matching funds to expand professional development for mathematics and science teachers; and requires a program evaluation. (For the LESC)
- H 97 SCHOOL BUS AIR CONDITIONING REQUIREMENTS, *Stewart* — requires all school buses with wheelchair lifts and 25 percent of all school buses used in a school district to be air-conditioned by school year 2007-2008; and provides a waiver process for districts whose climates do not warrant air-conditioning. (For the LESC)
- H 103a NMSU STUDENT WELLNESS CENTER, *Cervantes* — appropriates \$160,000 from the General Fund to the Board of Regents of NMSU for FY 05 to support the student wellness centers program; and requires a program evaluation.
- H 104a NMSU ARROWHEAD BUSINESS DEVELOPMENT CENTER, *Cervantes* — appropriates \$250,000 from the General Fund to the Board of Regents of NMSU for FY 05 to support the Arrowhead Center for Business Development in the College of Business Administration and Economics to foster graduate education and economic development and outreach; and requires a program evaluation.
- H 107 EXEMPT NMMI FROM PUBLIC EDUCATION DEPT. RULES, *Ponce* — exempts the New Mexico Military Institute from PED rules and standards regarding special education.
- H 109 TUITION SCHOLARSHIPS FOR CERTAIN STUDENTS, *Varela* — extends eligibility  
CS/H 109a for the lottery scholarship to otherwise qualified New Mexico resident students who  
& 426 graduate from a public high school within 100 miles of New Mexico and whose parents or legal guardians have paid New Mexico income taxes for at least three years; extends eligibility to all qualified students (graduating or earning a GED on or after May 1, 2003) who enroll in an approved institution of higher education within one year of graduating or earning a GED; extends the duration of the scholarship to two and one-half consecutive years for students attending a two-year institution, up to a combined total of four consecutive years for those students transferring to a four-year institution; and grants the military provision to New Mexico resident students who graduate from a public high school within 100 miles of New Mexico.

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- H 119 NON-TRANSFERABLE COLLEGE CREDIT REIMBURSEMENT, *Ponce* — amends the Postsecondary Education Articulation Act to require that, if a student’s articulation complaint regarding nonacceptance of transfer module credits for graduation is upheld, the receiving institution must reimburse the student for the cost of tuition, books, and fees of each course that the student is required to repeat; and to require that the receiving institution publish the complaint process in the student handbook or otherwise notify transfer students of the process. (For the LESC)
- H 120 “STUDENT” IN TEACHER LOAN FOR SERVICE ACT, *Heaton* — amends the Teacher Loan for Service Act to make funding available to a high school student and a student enrolled in a two-year institution who signs an agreement declaring his intent to serve as a public school teacher in a designated shortage area in New Mexico through a career pathway program prior to enrollment in any two- or four-year teacher education program. (For the LESC)
- H 121 SCHOOL DISTRICT EMPLOYEE BACKGROUND CHECKS, *Swisstack* — amends the School Personnel Act to require fingerprint-based background checks of all public school employees and of all contractors and contractors’ employees who will have unsupervised access to students; and to allow, through policy, a local school board, regional education cooperative, and charter school to have access to the records and related information obtained through a fingerprint-based background check of a contractor’s employee. (For the LESC)
- H 122a NMSU ARID URBAN TURF GRASS PROGRAM, *Nuñez* — appropriates \$244,000 from the General Fund to the Board of Regents of NMSU for FY 05 to establish an arid urban turf grass education, research, and extension program in the Agronomy and Horticulture Department; and requires a program evaluation. (May affect public schools)
- H 126a IGNITION INTERLOCKS ON NEW & USED CARS, *Martinez* — requires that, after January 1, 2008, all new motor vehicles, and after January 1, 2009, all used motor vehicles offered for sale in New Mexico must be equipped with an ignition interlock device; and defines the term “motor vehicle” to include school buses.
- H 134a COMPETITIVE RESEARCH GRANT MATCH, *Picraux* — appropriates \$1.5 million from the General Fund to the Board of Regents of NM Tech for FY 05 and FY 06 to provide a 50 percent match for a grant from the National Science Foundation for the experimental program to stimulate competitive research in a collaboration between the State Engineer and the state’s research universities in hydrology and water management systems; and requires a program evaluation.
- H 136 CAREER TECHNICAL EDUCATION IN SCHOOL BUDGETS, *Stapleton* — amends the Public School Finance Act to require that school districts demonstrate support for career technical education offerings prior to PED’s approval of the school districts’ budgets. (For the LESC)

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- H 138 AMEND CRIMINAL OFFENDER EMPLOYMENT ACT, *Swisstack* — amends the Criminal Offender Employment Act to clarify that any public employer may discharge an employee for any one of the causes specified in the act. (For the LESC)
- H 145a NMSU LIVESTOCK JUDGING PROGRAM, *Moore* — appropriates \$150,000 from the General Fund to the Board of Regents of NMSU for FY 05 to establish a livestock judging program within the College of Agriculture and Home Economics; and requires a program evaluation.
- H 162 CERTIFICATES AS ADEQUATE YEARLY PROGRESS, *Miera* — adds a new section to the Assessment and Accountability Act to require that a person who earns a GED within one year of leaving a public school without graduating be counted in the graduation rates of the last public school attended for the purpose of meeting the federal requirement of adequate yearly progress. (For the LESC)
- H 165a CURFEW ENFORCEMENT ACT, *Swisstack* — enacts the Curfew Enforcement Act to  
CS/H 165 cover the time period from 12:00 a.m. to 5:00 a.m. for children under 18 years old and includes an exception for activities authorized by a school, religious organizations, or community organizations, or an emergency.
- H 166 LOCAL GOVERNMENT CURFEW AUTHORITY, *Park* — amends the Children’s Code to allow counties and municipalities to enact curfew ordinances for children under 18 years old. (May affect public schools)
- H 169 PRESCRIPTION DRUG COPAYMENT STANDARDS, *Vigil* — amends the Procurement Code and the Insurance Code to require standard co-payments for prescription drug purchases through any health care coverage or insurance that offers prescription drug coverage. (May affect public school employees)
- H 170 ALLOW EDUCATIONAL RETIREES TO RETURN TO WORK, *Vigil* — adds a new section to the Educational Retirement Act to allow retired members to return to employment as a substitute without affecting their retirement benefits.
- H 171 EDUCATIONAL RETIREE SERVICE CREDIT PURCHASES, *Vigil* — amends the Educational Retirement Act as it applies to persons who served in the US military or the Public Health Service to change the time period allowed for the purchase of service credit by adding the deadline December 31, 2004, as an alternative to the existing deadline of three years after the date of the member’s employment following service.
- H 174 INSTRUCTIONAL SUPPORT PROVIDER MINIMUM SALARY, *Stewart* — amends  
CS/H 174 the School Personnel Act to require PED to work with representatives of each of the professions to establish a professional licensure and salary framework for certain instructional support providers like that already established for teachers; and requires PED to make recommendations to the LESC and LFC by November 1 2004, make periodic reports to the LESC, and make a final report to the LESC and the LFC by November 1, 2005.

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- H 177 PUBLIC EMPLOYEE COST-OF-LIVING INCREASES, *Varela* — appropriates approximately \$86.5 million from the General Fund to DFA for distribution to the appropriate state agencies to provide a 3.0 percent cost-of-living salary increase in FY 05 for public employees and public school employees. (Succeeding entries: H 2)
- H 179a LOTTERY SCHOLARSHIPS FOR TRIBAL INSTITUTIONS, *Harrison* — amends statute to extend the lottery scholarships to students enrolled at the New Mexico campuses of the Crownpoint Institute of Technology, Diné College, or the Institute of American Indian and Alaska Native Culture and Arts Development.
- H 191a COMMUNITY COLLEGE JOINT SOFTWARE INITIATIVE, *Rodella* — appropriates \$1.2 million from the General Fund to the Community College Board of Santa Fe Community College (SFCC) for FY 05 to fully implement a joint administrative software initiative to serve SFCC, Northern New Mexico State School, and New Mexico Junior College; and requires a program evaluation.
- H 198 SANTA FE MUSEUM-BASED SUMMER DAY CAMP, *Trujillo* — appropriates \$125,000 from the General Fund to PED for FY 05 to develop, in collaboration with the Santa Fe Public Schools, a model museum-based community summer day camp program at Agua Fria Elementary School in Santa Fe.
- H 199 DEVELOP BULLYING PREVENTION PROGRAMS, *Taylor,JP* — defines the term  
CS/H 199 “bullying”; requires PED to establish guidelines for bullying prevention policies by local school boards; requires each local school board to promulgate a bullying prevention policy by August 2005; and requires each public school to implement a bullying prevention program by August 2007. (For the LESC)
- H 216a SCHOOL ANTI-DISCRIMINATION PROGRAMS, *Park* — appropriates \$100,000 from the General Fund to the Board of Regents of UNM for FY 05 to contract for an anti-discrimination and anti-bias-related violence education program; and requires a program evaluation.
- H 217 SALE OF GO BONDS TO NMFA, *Larrañaga* — amends the Finance Authority Act to exclude general obligation bonds from private sale by a “qualified entity” to the New Mexico Finance Authority. (May affect public schools)
- H 218 TECHNOLOGY ASSISTANCE LOAN PROGRAM, *Townsend* — appropriates \$519,000 from the General Fund to PED for FY 05 for the Technology Assistance Program of the Vocational Rehabilitation Division to administer a statewide low-interest or no-interest loan program for persons with disabilities.
- H 219 CHILD CARE ASSISTANCE, *King* — appropriates \$10.0 million from the General Fund to CYFD for FY 05 for child care assistance. (May affect public schools)

*FAILED*  
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- H 220 TOBACCO SETTLEMENT REVENUE APPROPRIATIONS, *Beam* — among other appropriations, appropriates \$8.0 million from the Tobacco Settlement Revenues to the Department of Health for comprehensive tobacco use prevention and cessation programs, including school-based youth and parent programs.
- \*H 224 NATIONAL BOARD TEACHER CERTIFICATIONS, *Stewart* — appropriates \$200,000 from the General Fund to PED for FY 04 and FY 05 to provide matching funds to recruit and support teachers for certification by the National Board for Professional Teaching Standards.
- H 225 PUBLIC SCHOOL TEACHER INCOME TAX CREDIT, *Park* — amends the Income Tax Act to provide a credit of up to \$5,000 to any public school teacher in New Mexico who is licensed by PED and who files an individual New Mexico income tax return.
- H 226a TUITION PAYMENT FOR HIGHER EDUCATION COURSES, *Stapleton* — amends statute to require school districts to transfer to a two-year or four-year institution of higher education the tuition and fees for any student who, during the term, is counted in the membership of the public school district and who will receive high school credit for coursework at the four-year institution unless the school district and the institution agree to reduce or wave the tuition and fees. (For the LESC) [Identical to S 145a]
- H 230 TAOS COUNTY TEEN PREGNANCY PREVENTION, *Gonzales* — appropriates \$104,000 from the General Fund to the Local Government Division of DFA for FY 05 to support contractual services for a teen pregnancy prevention program in Taos County. (May affect public schools)
- H 235 PROFESSIONAL DEVELOPMENT TEACHER TRAINING, *Miera* — appropriates \$1.0 million from the General Fund to PED for FY 05 to contract with a community-based organization for the Strengthening Quality in Schools Initiative.
- H 241 SMALLER LEARNING COMMUNITIES PILOT PROJECT, *Trujillo* — appropriates \$100,000 from the General Fund to PED for FY 05 to support a smaller learning communities pilot project to provide academic remediation and individualized learning support for students at Santa Fe and Capital high schools. [Identical to S 242]
- H 242 SAN JUAN COUNTY YOUTH CHARACTER BUILDING, *Begaye* — appropriates \$50,000 from the General Fund to PED for FY 05 for a character building program for underprivileged and Native American youth in San Juan County.
- H 243 MINIMUM TEACHER SALARY PHASE-IN, *Stewart* — amends the School Personnel Act to accelerate the implementation of the phase-in of minimum salaries for teachers under the three-tiered licensure framework, so that, for school year 2004-2005, the minimum salary for a Level 2 and a Level 3 teacher will be \$40,000 and for school year 2005-2006 the minimum salary for a Level 3 teacher will be \$50,000; and appropriates approximately \$26.3 million from the General Fund to the State Equalization Guarantee for FY 05 to fund the accelerated salary schedule.



*FAILED*  
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*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- H 250 MEDIA LITERACY CURRICULUM, *Stewart* — appropriates \$150,000 from the General Fund to the Economic Development Department for FY 05 to develop a curriculum for public school students in kindergarten through 8<sup>th</sup> grade that includes media literacy skills in the areas of math, science, technology, and successful study habits. (For the LESC)
- H 269a QUEMADO INDEPENDENT SCHOOL DISTRICT FUNDS, *Tripp* — appropriates \$37,500 from the General Fund to PED for FY 05 for professional development in the Quemado Independent School District.
- H 270a RESERVE INDEPENDENT SCHOOL DISTRICT FUNDS, *Tripp* — appropriates \$37,500 from the General Fund to PED for FY 05 for professional development in the Reserve Independent School District.
- H 273 PUBLIC SCHOOL RESOURCE REQUIREMENT STUDY, *Ponce* — appropriates \$250,000 from the General Fund to PED for FY 05 to study the resources needed by public schools to provide opportunities for public school students to meet state and federal performance standards. (For the LESC)
- H 279 SCHOLARSHIP QUALIFICATION TIME LIMITS, *Marquardt* — eliminates the requirement that, to qualify for a lottery tuition scholarship, students must enroll in a postsecondary institution within a prescribed time period.
- H 280 OTERO COUNTY ARTS EDUCATION PROGRAM, *Marquardt* — appropriates \$35,000 from the General Fund to the Local Government Division of DFA for FY 05 for a visual and performing arts education program for primary, secondary, and postsecondary students in Otero County.
- H 281 STATEWIDE INDEPENDENT LIVING SERVICES, *Marquardt* — appropriates \$330,000 from the General Fund to the Vocational Rehabilitation Division of PED for FY 05 to contract with centers for independent living statewide to provide a cost-of-living adjustment, start independent living programs in unserved counties, and support rural independent living services. [Identical to S 216]
- H 283 PUBLIC EMPLOYEE INSURANCE CONTRIBUTIONS, *Varela* — among its provisions, amends statute to increase the percentage contribution required of employers and to raise category limits in the employees' salary scale. (May affect public school employees)
- H 286a CREATE EDUCATION STABILIZATION FUND, *Taylor, TC* — creates the Education Stabilization Reserve within the Appropriation Contingency Fund, to consist of a portion of the temporary additional distributions from the Permanent School Fund (provided by Constitutional Amendment 2, in 2003) and other money appropriated or transferred to the reserve upon a finding by the Legislature that the money will be needed in the future to maintain educational reforms; prescribes criteria for appropriations from the reserve; and requires the State Treasurer, each month from FY 05 through FY 12, to transfer to the Education Stabilization Reserve one-eighth of the additional distribution that is deposited in the Current School Fund.

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- \*H 291 ELECTRONIC GOVERNMENT ACT, *Heaton* — enacts the Electronic Government Act to inform the public about the affairs of government and the acts of its
- \*CS/H 291 officials and to establish an electronic government and management structure to provide
- CS/CS/H 291 oversight, review, fiscal monitoring, strategic planning, and policy development for the state's electronic government initiatives; creates the Information Technology Commission and prescribes its duties; requires the Governor to designate a state agency as the lead agency for state electronic government activities; allows this lead agency, upon request, to offer assistance or expertise on electronic government to various public entities, among them public school districts; and appropriates \$50,000 from the General Fund to the commission for FY 04 and FY 05 for certain start-up expenses.
- H 292a MIDDLE & HIGH SCHOOL SUPERCOMPUTER TRAINING, *Gonzales* — appropriates \$160,000 from the General Fund to the Board of Regents of NM Tech for FY 05 for a statewide program that trains middle and high school students in the use of supercomputers, improves the skills and technical knowledge of students, and improves teaching techniques in science, mathematics, engineering, and technology; and requires a program evaluation.
- H 302 OFFICE OF PEACE ACT, *Coll* — enacts the Office of Peace Act; creates the Office of Peace, administratively attached to DFA and directed by the Chief of Peace; prescribes duties for the Chief of Peace related to school and gang violence; creates the Commission of Peace Education and Training as well as the office of Director of Peace Education and Training and prescribes duties of the director; creates other related commissions and councils, one of which, the Citizens Peace Advisory Council, includes three public school educators as members; and appropriates \$250,000 from the General Fund to the Office of Peace for FY 05 to carry out the provisions of the act.
- H 303 NUTRITION ACT, *Coll* — enacts the Nutrition Act to improve the quality of food grown in, produced in, or imported into New Mexico or exported from New Mexico, among other purposes; creates the Deputy Secretary for Nutrition in the Department of Environment; creates the Nutrition and Food Safety Division in the department; prescribes powers and duties of the deputy secretary and the department; creates the Nutrition Council, one of whose members is the Secretary of Public Education or a designee; and prescribes duties of the council, one of which is, through PED, to advise school districts on the development of nutrition courses for secondary school students. [Identical to S 273]
- H 305a BACCALAUREATE PROGRAM IN TEACHER EDUCATION, *Rodella* — appropriates \$100,000 from the General Fund to the Board of Regents of Northern New Mexico State School for FY 05 to plan and develop a baccalaureate program in teacher education at the Española campus.
- \*H 307 TEACHER PROFESSIONAL DEVELOPMENT NETWORK, *Lujan,B* — appropriates \$142,000 from the General Fund to PED for FY 04 and FY 05 to extend a professional development network of secondary school English teachers to improve the reading, literacy, and technology skills of their students; and prescribes activities for the network.

*FAILED*  
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- H 310 FATHERHOOD & FAMILY STRENGTHENING PROGRAM, *Taylor,JP* — appropriates \$2.0 million from the TANF block grant to HSD for FY 05 to contract with the Cooperative Extension Service for a statewide program to strengthen families and promote father involvement to help create stable families. (May affect public schools)
- H 328a SCIENCE & MATH TEACHER TRAINING AT NM TECH, *Tripp* — appropriates \$250,000 from the General Fund to the Board of Regents at New Mexico Tech for FY 05 to continue training New Mexico teachers in science, mathematics, and technology to meet the requirements and standards for highly qualified teachers for New Mexico; and requires a program evaluation.
- H 330 NONRESIDENT STUDENT TUITION DIFFERENTIALS, *Marquardt* — requires the governing boards of community colleges and technical vocational institutes to waive the nonresident tuition differential for students who live in another state or country within 135 miles of the institution and to negotiate reciprocal agreements with those border states; and allows the board of regents of the parent institution of a branch community college to waive the nonresident tuition differential for students who live in another state or country within 135 miles of the institution without the other states participating in a reciprocal agreement. [Identical to S 357]
- H 332 YOUTH COLLEGE PROGRAM, *Vigil* — appropriates \$59,000 from the General Fund to CHE for FY 05 to operate the Youth College Program.
- H 334 NM HIGHLANDS SPANISH LANGUAGE FACULTY, *Vigil* — appropriates \$350,000 from the General Fund to the Board of Regents of NMHU for FY 05 to hire Spanish language faculty for various disciplines, including teaching bilingual students and producing bilingual teachers. (May affect public schools) [Identical to S 277]
- H 341a WNMU BACHELOR OF SCIENCE IN NURSING PROGRAM, *Irwin* — appropriates \$638,200 from the General Fund to the Board of Regents of WNMU for FY 05 and FY 06 to fund recurring expenditures for the Bachelor of Science Degree in Nursing Program; and requires a program evaluation. (May affect public schools)
- \*H 342 WNMU WEB-BASED TEACHER LICENSURE, *Irwin* — appropriates \$641,600 from the General Fund to the Board of Regents of WNMU for FY 04 and FY 05 to establish a network for web-based teacher licensure.
- H 345a INSTRUCTIONAL MATERIAL CALCULATIONS, *Stewart* — amends the Instructional Material Law to change the basis for determining the instructional material allocation from the 40<sup>th</sup> day of the current school year to the prior year average of the 40<sup>th</sup>-80<sup>th</sup>-120<sup>th</sup>-days; to direct PED to make direct payments to book depositories and/or publishers on behalf of each private school up to the amount of their fiscal-year allocation; to allow PED to assume a 25 percent credit of unencumbered cash balances in determining the allocation to each eligible entity; to allocate 95 percent of the appropriation by April 15; to change the amount of

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purchase for materials not on the multiple list from 70 percent to 50 percent; and to maintain the current adoption cycle to ensure the lowest available prices for materials. (For the LESC) [Identical to S 250a]

- H 349a STATEWIDE WORKPLACE LITERACY INITIATIVE, *King* — appropriates \$250,000 from the General Fund to CHE for FY 05 for a statewide workplace literacy initiative, particularly in rural areas, for employed adults without high school diplomas.
- H 351 CONTINUE RE:LEARNING PROGRAM, *Stapleton* — appropriates \$1.5 million from the General Fund to the Board of Regents of ENMU for FY 05 to continue the Re:Learning Program to support improvement in public schools statewide.
- H 353a WNMU WEB-BASED TEACHER LICENSURE, *Hamilton* — appropriates \$75,000 from the General Fund to the Board of Regents of WNMU for FY 05 and FY 06 to establish a network for web-based teacher licensure; and requires a program evaluation.
- H 359 NM NURSING EDUCATION, *Crook* — appropriates \$500,000 from the General Fund to the Governing Board of Clovis Community College for FY 05 to increase admissions to and support of the Associate of Applied Science in Nursing Program.
- H 380 ENERGY EFFICIENCY & RENEWABLE ENERGY BONDING, *Stewart* — enacts  
CS/H 380a the Energy Efficiency and Renewable Energy Bonding Act to fund energy efficiency measures in state and school district buildings with the proceeds of bonds that will be secured by gross receipts tax revenues; defines the terms “school district” and “school district building”; requires the Energy, Minerals and Natural Resources Department to develop a state plan to install these measures in state buildings and buildings owned by school districts by the end of FY 10; requires the department to contract for the installation of energy efficiency measures in state or school district buildings; creates the Energy Efficiency and Renewable Energy Bonding Fund, to be administered by the New Mexico Finance Authority; requires PED to deduct from a school district’s Equalization Guarantee Distribution 90 percent of the total amount of cost savings certified for each building by the Energy, Minerals and Natural Resources Department; and requires that amount to be transferred to the energy efficiency fund.
- H 393a OMNIBUS PUBLIC SCHOOL CAPITAL OUTLAY BILL, *Miera* — amends the Public  
CS/H 393a School Capital Outlay Act to provide a distribution, from FY 05 through FY 09, from the Public School Capital Outlay Fund to charter schools and school districts for lease payments; amends the Public School Capital Improvements Act to require that maintenance projects be the priority for the use of those funds and to index the state guarantee amount; amends the Property Control Act to allow the Public School Facilities Authority to purchase and own portable classrooms; amends the Technology for Education Act to limit the period of offsets against a school district’s Education Technology Fund distributions to three years; authorizes the Public School Capital Outlay Task Force to continue its work until July 1, 2005; extends through FY 07 the time period that appropriations made from the General Fund to the Public School Capital Outlay Fund in 2001 may be used to correct outstanding deficiencies, makes

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them non-reverting and allows them to be used for grant assistance; authorizes up to \$57.0 million in supplemental severance tax bonds to complete projects partially funded in September 2003 and for deficiencies corrections. (For the PSCOTF and the LESC)

- H 396 NM QUALITY AWARDS PROGRAM, *Miera* — appropriates \$100,000 from the General Fund to the Economic Development Department for FY 05 to support the administration of the New Mexico Quality Awards Program for business, education, government, and health care. [Identical to S 175]
- H 400 TEACHER PROGRAM, *King* — appropriates \$300,000 from the General Fund to PED for FY 05 for a teacher preparation initiative that includes teacher recruitment, teacher preparation, teacher mentorship, professional development, and teacher retention.
- H 404a CHARTER SCHOOL STANDARDS, *Larrañaga* — among its provisions, amends the 1999 Charter Schools Act to provide a mediation process to resolve disputes between charter schools and their respective school districts; to authorize the Secretary of Public Education to allow a charter school to maintain separate facilities but for purposes of calculating SEG program units, to require that the separate facilities be treated as a single school; to clarify charter schools' access to school district property and capital funding; to require that charter school facilities meet life, health, and safety codes and adequacy standards; and to require that, after January 1, 2009, all charter schools applying for renewal be housed in public buildings, with certain exceptions. (For the PSCOTF and the LESC)
- H 405 EARLY CHILDHOOD PROGRAM & TEACHER SUPPORT, *Beam* — appropriates \$500,000 from the General Fund to CYFD for FY 05 to provide support for professionally trained early childhood teachers and early childhood programs to ensure that children are ready for school when they enter kindergarten. [Identical to S 396]
- H 415a SATURDAY SCIENCE & MATH STUDENT ACADEMY, *Powdrell-Culbert* — appropriates \$75,000 from the General Fund to the Board of Regents of UNM for FY 05 to establish a Saturday Academy Program to enhance pre-college students' science and math skills.
- H 426 EXPAND TUITION SCHOLARSHIP ELIGIBILITY, *Moore* — extends eligibility for the lottery tuition scholarship to New Mexico residents who graduate from a public high school located within 100 miles of New Mexico and to otherwise qualified students who enroll in a postsecondary institution within 18 months of graduating from a public or accredited private high school in New Mexico or earning a GED. [Succeeding entries: H 109]
- H 427 GRANDPARENTS RAISING GRANDCHILDREN SERVICES, *Vigil* — appropriates \$72,000 from the General Fund to CYFD for FY 05 and FY 06 to provide services to grandparents raising grandchildren in San Miguel County, including support for obtaining after-school care, transportation, and tutoring for their grandchildren.

*FAILED*  
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- H 429 CAREER EDUCATION COURSES FOR GRADUATION, *Stapleton* — amends the graduation requirements in the Public School Code to require PED to establish a procedure allowing students to be awarded credit for certain graduation requirements through successful completion of specified career technical education courses.
- H 434 HEALTH CARE RECRUITMENT AGENCY CONTRACT, *Rodella* — appropriates \$750,000 from the General Fund to the Department of Health for FY 05 to contract with a qualified nonprofit health care professional recruitment agency to expand efforts throughout the state to recruit certain health care professionals, including nurses and nurse practitioners. (May affect public schools)
- H 439 WNMU CENTER FOR DISTRIBUTED EDUCATION, *Irwin* — appropriates \$485,860 from the General Fund to the Board of Regents of WNMU for FY 05 and FY 06 to fund the Center for Distributed Education.
- H 440 ENMU TEACHER EDUCATION DISTANCE LEARNING, *Crook* — appropriates \$200,000 from the General Fund to ENMU for FY 05 and subsequent fiscal years to fund a teacher education distance learning project for undergraduate and graduate courses in certain communities.
- H 448 PROFESSIONAL CONTEST GROSS RECEIPTS, *Silva* — exempts certain professional contests, events, and concerts from gross receipts tax. (May affect public schools)
- H 450 ALAMOGORDO HEAD START TEACHER TRAINING, *Vaughn* — appropriates \$25,000 from the General Fund to the Local Government Division of DFA for FY 05 to supplement existing funds to train teachers for the Alamogordo Head Start program.
- H 453 REVISE CRIMINAL SEXUAL CONTACT OF A MINOR, *Cheney* — amends statute pertaining to criminal sexual contact of a minor to make that offense always a second degree felony; and deletes the conditions for third and fourth degree felony criminal sexual contact of a minor. (May affect public schools)
- H 458 NATIVE AMERICAN STUDENT LEADERSHIP PROGRAM, *Madalena* — appropriates \$50,000 from the General Fund to the Office of Indian Affairs for FY 05 to contract with the Santa Fe Indian School for a summer leadership and policy program for Native American high school students in Santa Fe.
- H 459 UNM INSTITUTE FOR AMERICAN INDIAN EDUCATION, *Madalena* — appropriates \$100,000 from the General Fund to the Board of Regents of UNM for FY 05 to operate the Institute for American Indian Education in the College of Education.
- H 465 ROSWELL SCHOOLS CHARACTER EDUCATION PROGRAM, *Wilson* — appropriates \$25,000 from the General Fund to PED for FY 05 to fund a character education program in the Roswell Independent Schools.

*FAILED*  
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- H 477 RECOGNITION OF EXTRACURRICULAR ACHIEVEMENT, *Vigil* — appropriates \$75,000 from the General Fund to PED for FY 05 to purchase awards recognizing student achievement in extracurricular activities.
- H 478 LUNA VO-TECH YOUTH COLLEGE EXPENSES, *Vigil* — appropriates \$59,000 from the General Fund to the Governing Board of Luna Vocational-Technical Institute for FY 05 for expenses of the Youth College.
- H 480 NATIVE AMERICAN BILINGUAL PROGRAM ASSESSMENT, *Madalena* — appropriates \$100,000 from the General Fund to PED for FY 05 for the Bilingual Multicultural Education Unit to contract for the assessment of existing Native American bilingual programs to determine those programs' strengths, weaknesses, and needs.
- H 481 KANW RADIO OPERATING EXPENSES, *Sandoval* — appropriates \$100,000 from the General Fund to PED for FY 05 for APS to operate KANW radio station.
- H 494 TOHATCHI YOUTH DEVELOPMENT PROGRAMS, *Harrison* — appropriates \$42,000 from the General Fund to the Office of Indian Affairs for FY 05 to fund youth development programs, including the Youth Leadership Project at the Tohatchi Chapter. (May affect public schools)
- H 495 ZUNI PUEBLO YOUTH DEVELOPMENT PROGRAMS, *Harrison* — appropriates \$50,000 from the General Fund to the Office of Indian Affairs for FY 05 to fund youth development initiative programs at the Pueblo of Zuni. (May affect public schools)
- H 504 CREATE PUBLIC SCHOOL REFORM RESERVE, *Coll* — creates the Public School Reform Reserve in the General Fund; states that money in the reserve may be appropriated to implement provisions of the 2003 public school reform legislation and the federal NCLB, with a priority on providing minimum salaries required by the three-tiered licensure system; and appropriates \$40.0 million from the Public School Reform Reserve to the SEG in each of FY 06, FY 07, and FY 08 to supplement General Fund appropriations for public school reform.
- H 507a ID & SUPPORT OF HIGHLY TALENTED STUDENTS, *Arnold-Jones* — requires the Division of Student Affairs at UNM to conduct a study to identify gifted and talented students who fail to obtain a high school diploma, the barriers that impede their education, alternatives for removing those barriers, and the appropriate type of education to allow them to succeed; requires UNM to make periodic reports to the LESC, PED, and CHE; and appropriates \$75,000 from the General Fund to the Board of Regents of UNM for FY 05 for the study.
- H 509 EXTEND MULTI-TERM EDUCATION TESTING CONTRACTS, *Miera* — amends statute to allow periods for up to 12 years for a contract for the development and implementation of standardized tests for students in K-12 and for the development and implementation of teacher tests required to obtain professional licensure.

*FAILED*  
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- H 513 WITHDRAWAL FROM NO CHILD LEFT BEHIND ACT, *Garcia,MP* — requires that the state of New Mexico withdraw from participation in the federal No Child Left Behind Act of 2001 (NCLB).
- \*H 516a ELECTRONIC PROPERTY BID PROPOSALS, *Silva* — amends the Procurement Code to allow that, under certain conditions, bids and proposals may be submitted electronically and to provide, in certain circumstances, for reverse auction procedures as an alternative to sealed bids with certain exceptions; and deletes provisions related to design and build projects. (May affect public schools)
- H 517 LA PROMESA SCHOOL ARTS PROGRAMS, *Tripp* — appropriates \$25,000 from the General Fund to PED for FY 05 to fund arts programs and projects at La Promesa School in the Belen Consolidated Schools.
- H 526 FULL-DAY KINDERGARTEN DEVELOPMENT INSTITUTE, *Stewart* — appropriates \$35,000 from the General Fund to the Board of Regents at UNM for FY 05 to collaborate with APS to present a full-day kindergarten professional development summer institute.
- H 529 SCHOOL EMPLOYEE INSURANCE CONTRIBUTIONS, *Ponce* — amends the Public School Insurance Authority Act to permit school districts, charter schools, and other participating entities, within available revenue, to contribute up to 80 percent of the cost of the insurance of all employees.
- H 531 EDUCATIONAL RETIREES RETURNING TO WORK, *Ponce* — amends the Educational Retirement Act to allow a retired member to begin employment at PED without suspending retirement benefits and to allow members who are state agency employees to make a one-time election for coverage under the Public Employees Retirement Act prior to September 30, 2004. [Identical to H 556]
- H 535 UNM ENGINEERING SCHOOL BUILDING FINANCING, *Silva* — creates the Engineering School Bonding Fund, to be administered by the NM Finance Authority; authorizes the NM Finance Authority to issue Engineering School Revenue Bonds; and requires that contracts for public works projects set aside and transfer 0.2 percent of the state appropriation for the project to the New Mexico Finance Authority for deposit into the Engineering School Bonding Fund to finance the construction of the Centennial Engineering Center at UNM. (May affect public schools)
- H 543 CONSTRUCTION MANAGER QUALIFICATIONS & PURPOSE, *Cervantes* — amends the Procurement Code to allow a construction management services contract with a state agency or local public body to specify a guaranteed maximum price for the project and to allow the construction manager to use its own workforce for the project. (May affect public schools)



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- H 553 SCHOOL DROPOUT DRIVER'S LICENSE SUSPENSIONS, *Larrañaga* — requires that, to qualify for a driver's license, anyone under the age of 18 must be in school, must have graduated or earned a GED, or must demonstrate a hardship; and authorizes the MVD to suspend the license of anyone who does not meet those conditions.
- H 554 CHARTER SCHOOLS INDEPENDENT OF DISTRICTS, *Vigil* — among other provisions, amends the 1999 Charter Schools Act: to give chartering authority exclusively to PED; to make each charter school its own board of finance, except for transportation funding, and not part of any school district in which it is located; to limit conversion charter schools to those that were created prior to July 1, 2004, and to limit the number of start-up schools; to allow the Secretary of Public Education to authorize a charter school to maintain separate facilities within the same district but, for purposes of calculating SEG program units, to require that the separate facilities be treated as a single school; to address facilities needs and responsibilities of charter schools; to specify grounds on which charter applications may be denied or charters revoked; and to provide a saving clause for charter schools authorized by a local school board prior to July 1, 2004; and amends the Public School Finance Act to require charter schools approved after January 1, 2005, to submit budgets directly to PED.
- H 556 EDUCATIONAL RETIREES RETURNING TO WORK, *Stewart* — amends the Educational Retirement Act to allow a retired member to begin employment at PED without suspending retirement benefits and to allow members who are state agency employees to make a one-time election for coverage under the Public Employees Retirement Act prior to September 30, 2004. [Identical to H 531]
- \*H 558 CONDITIONS FOR UNEXPENDED BALANCE REVERSIONS, *Sandoval* — among other provisions, requires that any unexpended balance appropriated for educational technology, equipment, or furniture that is not part of a more inclusive construction or renovation project be returned to the originating fund at the end of the fiscal year following the fiscal year in which the appropriation was made. [Identical to \*S 555]
- H 560 PUBLIC SCHOOL HUMAN RIGHTS EDUCATION PROGRAM, *Thompson* — appropriates \$35,000 from the General Fund to the Board of Regents at UNM for FY 05 to contract for a human rights education program in the public schools through UNM's Department of Education.
- H 561a CONSOLIDATED PUBLIC HEALTH PROGRAM PURCHASE, *Picraux* — among its provisions, creates the Health Care Purchasing Authority, with 30 members, including several school personnel selected with the advice and consent of the Senate; specifies powers and duties of the authority, one of which is to procure health care benefits pursuant to the Health Care Purchasing Act and the Procurement Code, including at least one option that is not an HMO; creates the Health Care Purchasing Fund, with separate subaccounts for participants of the Retiree Health Care Act, the Group Benefits Act, the Public Schools Insurance Authority, or a school district with more than 60,000 students; and provides for the transfer of property from NMPSIA and other health care authorities to the General Services Department. (For the Governor)

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- H 562 WORKERS' COMP MEDICAL EXAMS & WORKER STATUS, *Taylor, JG* — provides, among other provisions, that any party to a workers' compensation claim, including a case manager, may contact a health care provider to determine a worker's disability status, work restrictions, or treatment plan. (May affect public schools)
- H 563 SCHOOL VENDING MACHINE EXCISE TAX ACT, *Taylor, JG* — enacts the School Vending Machine Excise Tax Act; imposes the School Vending Machine Excise Tax of 10 percent of gross receipts on the owner of a vending machine that dispenses low-nutrition foods or beverages in a public school; and requires that the net receipts of the tax be distributed to PED to support physical education and nutrition programs in the public schools.
- \*H 566a COUNTY & MUNICIPALITY TAX RATE CHANGES, *Taylor, JG* — increases the property tax rate authorized for certain counties and decreases the tax rate authorized for certain municipalities subject to approval of the governing body of the municipality. (May affect public schools) [Identical to \*S 567]
- H 569 TRIBAL COLLEGE ACT, *Harrison* — enacts the Tribal College Act; creates the Tribal College Fund; and appropriates 25 percent of the revenue sharing from the gaming compacts from the General Fund to the Tribal College Fund in FY 05 and subsequent fiscal years to implement the act. [Identical to CS/S 588]
- H 571 TATUM SCHOOL DISTRICT HORSE RIDING LESSONS, *Roberts* — appropriates \$10,000 from the General Fund to PED for FY 05 to contract for therapeutic horseback riding lessons for individuals with disabilities or special needs in the Tatum Municipal Schools. [Identical to S 525]
- H 586 PUBLIC PEACE, HEALTH, SAFETY & WELFARE, *Taylor, JG* — repeals the  
CS/H 586 provisions in the Special Urban School District Act calling for an election and a petition signed by at least 65 percent of the employees of a school district with student enrollment in excess of 35,000 before the district may become a special urban school district.
- H 609 PROBATIONARY SCHOOL STAFF TRAINING, *Miera* — appropriates \$350,000  
CS/H 609 from the General Fund to PED for FY 05 to train school personnel in probationary schools in cultural competencies as a means to close the achievement gap between minority and other students.

**HOUSE JOINT RESOLUTIONS**

- HJR 9 REPEAL ALBUQUERQUE-BERNALILLO MERGER, CA, *Taylor, JG* — proposes to repeal Article 10, Section 11 of the state constitution, which provides procedures to merge the governments of Bernalillo County and the city of Albuquerque into a single urban government. (May affect public schools) [Identical to SJR 8]

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- HJR 13a PRACTICE FOR PUBLIC GOOD LAW SCHOLARSHIP, *CA, Taylor, JG* — proposes to amend Article 9, Section 14 of the state constitution to allow the state to establish a loan program for students at law schools who, in return for payment of their educational expenses, and after graduation and admission to the bar, work for the state for a specified number of years as designated by law in a legal capacity involving a governmental agency, nonprofit organization, or a discount legal service capacity on behalf of low-income people.

**HOUSE RESOLUTIONS**

- HR 1 EQUAL DISTRIBUTION OF CAPITAL OUTLAY FUNDS, *Hobbs* — requests that capital outlay funds for projects funded by the General Fund and by Severance Tax Bonds be distributed equally among all of the members of the House of Representatives for their respective districts. (May affect public schools)

**HOUSE JOINT MEMORIALS**

- HJM 3a PRIVATE PURCHASE OF HEALTH INSURANCE, *Picraux* — requests that the Human Services Department, with the cooperation of the Insurance Division of the Public Regulation Commission and the Risk Management Division of the General Services Department, study the potential effects and methods of authorizing private businesses and individuals to join a public health insurance purchasing collaborative. (For the Governor)
- HJM 4 DEVELOP CRIMES AGAINST CHILDREN TEAMS, *Picraux* — requests that the New Mexico Crimes against Children Task Force develop a multidisciplinary team for each judicial district in the state and that school representatives serve on each team. [Identical to SJM 7]
- HJM 6a STUDY EARLY CHILDHOOD EDUCATION PROGRAMS, *Ponce* — requests that the Center for Education Research use the student-level database maintained by PED to begin designing and conducting research that follows children in early childhood programs as they enter and proceed through schools; and that the Center for Education Research report to the Legislature on the effectiveness of the different programs.
- HJM 9 FUND NO CHILD LEFT BEHIND MANDATE, *Stewart* — urges the President and the Congress of the United States to increase the level of funding to help states fully implement the requirements of the federal No Child Left Behind Act of 2001; and requests that the New Mexico congressional delegation work to secure adequate funding for these federal mandates. (For the LESC)
- HJM 10 STUDY STATEWIDE PRE-KINDERGARTEN PROGRAMS, *Stewart* — requests that PED, in collaboration with the Child Development Board, study the programs currently offered by licensed preschools to four-year-old children and align the standards of those programs as needed to ensure that the children served will be ready for kindergarten; study the feasibility of

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establishing a state-funded, voluntary, statewide preschool program to serve four-year-old children; and examine the results of the Kindergarten Plus Pilot Program for the possibility of statewide implementation; and report to the LESC by November 2004. (For the LESC) [Identical to SJM 14]

- HJM 11 ENGLISH ON SPANISH GENERAL EDUCATION TESTS, *Garcia,MP* — requests PED to eliminate the English language proficiency requirement for passing the GED tests.
- HJM 13a ALBUQUERQUE NATIVE AMERICAN STUDENT CONCERNS, *Begaye* — makes several requests of PED and the Albuquerque Public Schools (APS) to enhance the attendance and performance of Native American students, to increase the number of Native Americans in top-level administrative positions in APS, to address the family- and home-related education issues of Native American students, and to involve the Native American community in the education of their children.
- HJM 22a TRIBAL INPUT ON MAJOR EDUCATIONAL CHANGES, *Begaye* — requests that PED seek input from the Native American communities and tribal schools before making any major regulatory changes that affect Native American students in the state's public schools; and that PED, prior to enacting regulations, provide assessments of the cost and benefits of proposed regulations to the Native American communities, the tribal schools, the LESC, and LFC.
- HJM 26 COST-OF-LIVING BENEFIT FOR EDUCATION RETIREES, *Gonzales* — requests that the Educational Retirement Association provide a 3.0 percent annual cost-of-living benefit increase for its retirees.
- HJM 29 STUDY SCHOOL BUS AIR CONDITIONING NEEDS, *Stewart* — requests that PED determine the need for and the cost of air-conditioning on school buses in each school district; investigate several phase-in options related to the bus replacement schedule and the transport of special-needs students; and make recommendations on funding and an equitable allocation system.
- HJM 31a CHILDREN OF INCARCERATED PARENTS TASK FORCE, *Beam* — requests that CYFD and the Human Services Department continue to convene a task force, including PED, among other agencies, to develop a plan to identify children of incarcerated parents and to develop an interdepartmental plan to address the needs of those children.
- HJM 33a CHARTER SCHOOL STUDY, *Trujillo* — requests that the LESC study the fiscal and programmatic impact of the establishment of charter schools on individual school districts and on the state as a whole, as well as the number and enrollment size of charter schools that should be established in individual school districts so that districts may continue to serve students in a fiscally and programmatically prudent manner; and report its findings and recommendations to the First Session of the 47<sup>th</sup> Legislature. (For the LESC)

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- HJM 34 HEALTHCARE WORKFORCE DEVELOPMENT CENTER STUDY, *Saavedra* — requests that the Department of Health, in conjunction with the New Mexico Health Policy Commission, ascertain the need for a health care and human services workforce development center; and requests that the center, if established, conduct its activities in coordination with PED, among other state agencies.
- HJM 35 INCLUDE ENLACE PROGRAM IN INPUT BODIES LIST, *Miera* — requests that PED include the ENLACE in New Mexico program in the department’s task forces, councils, and advisory groups to contribute to increasing educational attainment and eliminating the achievement gap among all of New Mexico’s students.  
[Identical to SJM 47]
- HJM 36a STUDY FAMILIES IN NEED OF SERVICE ARTICLES, *Miera* — requests that CYFD contract with a private nonprofit agency to review pertinent statutes, to determine what programs currently exist and which agencies are responsible for which services, and to identify gaps in those services, additional preventive and early intervention services needed by communities, and any other problems related to the Families in Need of Services Program; that CYFD, the Department of Health, PED, and the Administrative Office of the Courts participate in the effort; and that the panel report findings to the LESC, among other entities, by October 2004.
- HJM 41a SCHOOL CONSTRUCTION PROJECT GROSS RECEIPTS, *Taylor,JP* — requests that the LESC in cooperation with the Taxation and Revenue Department study relevant statutes to determine if laws should be amended to exempt school districts from paying the gross receipts tax on school construction.
- HJM 44a STAFF RATIO GUIDELINES AT STATE COLLEGES, *Miera* — requests that CHE establish guidelines for the ratio of full-time to part-time faculty, implement formal and continued monitoring of these ratios, review salaries and benefits provided part-time and nontenure-track faculty, and report findings and recommendations to the LESC by November 1, 2004.
- HJM 51 SCHOOL TEACHER SUBSTITUTE PILOT PROGRAM, *Trujillo* — requests that PED study the potential for using state, federal, city, and county public employees and retired employees as volunteer substitute teachers; and that PED develop and coordinate with the public schools a pilot program to use such volunteers.
- HJM 62 PROPERTY TAX ADMINISTRATION & PROCEDURE STUDY, *Stewart* — requests that the Taxation and Revenue Department study the administrative, reporting, and procedural aspects of the Property Tax Code and make recommendations for improvement to the Revenue Stabilization and Tax Policy Committee by December 2004. (May affect public schools)

*FAILED*  
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- HJM 75 STATEWIDE MATH & SCIENCE HIGH SCHOOL, *Picraux* — directs the LESC staff to evaluate the benefits, costs, funding, and organization issues of establishing a residential college preparatory mathematics and science senior high school for juniors and seniors with particular gifts or aptitudes for math and science; and directs the LESC to report its findings to the House and Senate education committees by November 2004.
- HJM 81 CONTINUE HOMELESSNESS TASK FORCE, *Miera* — requests that the Department of Health continue the Task Force on Homelessness, include the State Agency on Aging in the task force, and report to the Governor and the appropriate interim legislative committee before the next legislative session. (May affect public schools)
- HJM 82 DATA ON NM ACADEMIC GRADUATES IN WORKFORCE, *Park* — requests that the Labor Department work with CHE, institutions of higher education, workforce programs, and PED to address data collection needs to produce a system of regular outcome data about the employment of graduates and program completers for the use of education providers.
- HJM 83 STUDENT HEALTH & FITNESS REPORT CARDS, *Varela* — requests that PED study the feasibility of implementing a statewide health and fitness report card program; and report its findings and recommendations, if any, to the LESC prior to the next legislative session.
- HJM 88a REVENUE SHARING FOR TRIBAL SCHOLARSHIPS, *Harrison* — requests that the Interim Legislative Indian Affairs Committee, LFC, and the LESC study the financial resources available to tribal college students, including the feasibility of using tribal revenue sharing for scholarships for tribal college students. (May affect public schools)
- HJM 89 HEALTH VALUE OF PRECAUTIONARY PRINCIPLE, *Martinez* — requests that the Legislative Health and Human Services Committee assess the public health value of implementing the “precautionary principle,” which is a belief that precautionary measures should be taken in response to a threat to human health or the environment even if a direct cause-and-effect relationship is not established. (May affect public schools) [Identical to SJM 71]
- HJM 91 HEALTH CARE EXPENDITURE & REFORM OPTION STUDY, *Taylor,JP* — requests that the Legislative Health and Human Services Committee, with the cooperation of the Health Policy Commission, conduct a comprehensive study to determine current and projected health expenditures in New Mexico to serve as a base line for proposals for dealing with expenditures and reform options. (May affect public schools)
- HJM 100 DATA ON NM ACADEMIC GRADUATES IN WORKFORCE, *Nuñez* — requests that the Labor Department meet with representatives of CHE, higher education institutions, workforce programs, and PED to address data collection needs to provide a system of regular outcome data about employment of academic graduates and program completers through the Labor Department’s unemployment insurance wage tracking system for the use of designated education providers.

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HJM 101 UNHEALTHY FOOD TASK FORCE, *Coll* — requests that the Governor appoint a task force, including PED among other agencies, to study the quality of food grown in, produced in, imported into, or exported from New Mexico to improve quality; and requests that the task force report its findings and recommendations to the Governor and the Legislature by January 1, 2005.

**HOUSE MEMORIALS**

- HM 31 STUDY NM ACTIVITIES ASSOCIATION, *Taylor, JG* — requests that the LESC study the governance structure and rulemaking process of the New Mexico Activities Association (NMAA), including the relationship among the NMAA and school districts and PED and the need for appeals from decisions of the NMAA. [Identical to SM 23]
- HM 34 PUBLICIZE GEN. KNOWLES NMMI SCHOLARSHIP, *Williams, WC* — requests that NMMI and the public schools better publicize the General Richard T. Knowles Legislative Scholarship Program.
- HM 36 WITHDRAWAL FROM NO CHILD LEFT BEHIND, *Garcia, MP* — requests that the Secretary of Public Education formulate a written plan identifying the steps necessary for New Mexico to withdraw from NCLB and present the plan to the appropriate interim legislative committee by December 31, 2004.

**SENATE BILLS**

- S 15 ENMU TEACHER EDUCATION PROGRAMS, *Ingle* — appropriates \$78,000 from the General Fund to the Board of Regents of ENMU for FY 05 for the university’s off-campus teacher education initiative for eastern New Mexico.
- S 20 CONSTRUCTION MANAGEMENT SERVICES CONTRACTS, *Komadina* — amends the Procurement Code to provide for a “construction manager at risk” to act as an agent of a state agency or local public body for construction management. (May affect public schools)
- S 21 TECHNICAL & VOCATIONAL INSTITUTE DISTRICTS, *Komadina* — provides a method for the contraction of a technical and vocational institute district if the district contains only a portion of a newly created public school district.
- S 25 NMSU NURSING EDUCATION, *Papen* — appropriates \$500,000 from the General Fund to the Board of Regents of NMSU for FY 05 to support the Bachelor of Science in nursing program and to maintain the Master of Science in nursing program.
- S 26 GRANDPARENTS RAISING GRANDCHILDREN SERVICES, *Garcia* — appropriates \$72,000 from the General Fund to CYFD for FY 05 and FY 06 to provide services to grandparents raising grandchildren in Doña Ana County, including support for obtaining after-school care, transportation, and tutoring for their grandchildren.
- S 56 CREATE NM GOVERNMENT EDUCATION FUND, *Altamirano* — creates the New Mexico Government Education Fund in the State Treasury, to be administered by PED; and appropriates \$50,000 from the General Fund to the Government Education Fund for FY 05 for PED to contract for annual, week-long high school civics courses on New Mexico state government to be held at various postsecondary educational institutions in the state.
- S 71a NURSE IN EVERY SCHOOL PROGRAM IMPLEMENTATION, *Nava* — requires PED to adopt rules to implement the “School Nurse Program” to ensure that a sufficient number of licensed nurses are employed in the public schools to meet or exceed the standards of the National Association of School Nurses (one nurse for every 750 students) and to add 20 nurses in the public schools each school year for the next nine years.
- S 80 PUBLIC EMPLOYEE RETIREMENT SYSTEM SOUNDNESS, *Beffort* — requires that, if the actuarial liability of a retirement system prevents the program from being maintained at current benefit levels and contributions rates, the governing body of the retirement system must propose to the Legislature a plan to ensure that the system remains actuarially sound; suggests several methods to ensure actuarial soundness; and applies to ERA and PERA, among other retirement systems.



*FAILED*  
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- S 82a STUDENT DRUG DEMAND REDUCTION PROGRAM, *Sanchez,B* — appropriates \$65,000 from the General Fund to PED for FY 05 to provide a drug demand reduction program through the Department of Military Affairs for at-risk middle and high school students.
- S 83 MID RIO GRANDE CHARACTER COUNTS PROGRAM, *Sanchez,B* — appropriates \$100,000 from the General Fund to PED for FY 05 for the Character Counts Program in selected school districts and counties.
- S 93 NMSU BORDER EDUCATIONAL LEADERSHIP CENTER, *Nava* — appropriates \$500,000 from the General Fund to the Board of Regents of NMSU for FY 05 to establish the Center for Border Educational Leadership, to improve the skills of public school superintendents in the border region.
- S 94 NM ALLIANCE FOR MINORITY PARTICIPATION, *Nava* — appropriates \$250,000 from the General Fund to the Board of Regents of NMSU for FY 05 to support the Alliance for Minority Participation and the Regional Alliance for Science, Engineering and Mathematics Students with Disabilities for several programs, among them public school outreach and teacher training.
- S 97 GENERAL APPROPRIATION ACT OF 2004, *Altamirano* — appropriates funds to state agencies for FY 05, including appropriations to PED for Apprenticeship Assistance, Beginning Teacher Induction, and the Indian Education Act, among other programs; and appropriates over \$1.9 billion to Public School Support, including the State Equalization Guarantee (SEG), Transportation, the Instructional Material Fund, the Educational Technology Fund, and the Incentives for School Improvement Fund.
- S 98 TUITION SCHOLARSHIPS FOR CERTAIN STUDENTS, *Carraro* — amends statute to make lottery tuition scholarships available to students who apply to a postsecondary institution after, not immediately after, graduating from high school or receiving a GED.
- \*S 101 PURCHASE OF PUBLIC HEALTH CARE PROGRAMS, *Feldman* — creates the Health Care Purchasing Authority, with 23 members, including general school personnel appointed by the Governor upon recommendations from certain groups; specifies powers and duties of the Authority, one of which is to procure health care benefits and other coverages authorized by the Health Care Purchasing Act in accordance with the Procurement Code; designates the General Services Department as the group policyholder for health care benefit plans; creates the Health Care Purchasing Fund, with separate subaccounts for participants of the Retiree Health Care Act, the Group Benefits Act, the Public Schools Insurance Authority, or a school district with more than 60,000 students; and provides for the transfer of property from NMPSIA and other health care authorities to the General Services Department. (For the Governor) [Identical to \*H 87]

*FAILED*  
*PUBLIC SCHOOL-RELATED LEGISLATION*  
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- S 102a NMMI SCHOLARSHIP FUND & TAX CREDIT, *Carraro* — creates the New Mexico Military Institute (NMMI) Scholarship Donation Credit, an income tax credit not to exceed one half of the amount of a donation made to NMMI during a taxable year; limits the total of NMMI donation credits for a taxable year to \$250,000; creates the New Mexico Military Institute Scholarship Fund; and specifies that money in the fund is appropriated to the Board of Regents of NMMI to provide scholarships for students under 18 years old, with preference given to students who have a parent or legal guardian imprisoned in a New Mexico correctional facility.
- \*S 107 STATEWIDE WORKPLACE LITERACY INITIATIVE, *Sharer* — appropriates \$250,000 from the General Fund to CHE for FY 04 for a statewide workplace literacy initiative, particularly in rural areas, for employed adults without high school diplomas.
- S 117 POST-SECONDARY TEXTBOOK SALE GROSS RECEIPTS, *Smith* — amends the Gross Receipts and Compensating Tax Act to provide that receipts from the sale of textbooks required for courses at a public postsecondary educational institution may be deducted from gross receipts if the sale is to a student enrolled at the institution.
- S 126 EXPAND NM VIRTUAL SCHOOL, *Lopez* — appropriates \$400,000 from the General Fund to PED for FY 05 for the New Mexico Virtual School to provide statewide curriculum and instruction through interactive technologies and to expand the Virtual School.
- S 136 CHILD CARE ASSISTANCE, *Lopez* — appropriates \$10.0 million from the General Fund to CYFD for FY 05 for child care assistance.
- S 139 CONTINUE RE:LEARNING PROGRAM, *Nava* — appropriates \$1.5 million from the General Fund to the Board of Regents of ENMU for FY 05 to continue the Re:Learning Program.
- S 145a TUITION PAYMENT FOR HIGHER EDUCATION COURSES, *Nava* — amends statute to require school districts to transfer to a two-year or four-year institution of higher education the tuition and fees for any student who, during the term, is counted in the membership of the public school district and who will receive high school credit for coursework at the four-year institution unless the school district and the institution agree to reduce or wave the tuition and fees. (For the LESC) [Identical H 226a]
- S 146a INSTRUCTIONAL SUPPORT STAFF T&E METHODOLOGY, *Nava* — appropriates \$75,000 from the General Fund to the LESC for FY 05 to identify a methodology to compensate instructional support staff based on training and experience. (For the LESC)
- S 147 TEACHER CADET PROGRAM, *Nava* — appropriates \$200,000 from the General Fund to PED for FY 05 for a teacher cadet program that will include the development of concurrent enrollment courses that address current issues in education as well as innovative teaching practices. (For the LESC)

*FAILED*  
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- S 148 NM VIRTUAL SCHOOL EXPANSION, *Nava* — appropriates \$400,000 from the General Fund to PED for FY 05 for the New Mexico Virtual School to provide statewide curriculum and instruction through interactive technologies and to expand the New Mexico Virtual School into middle schools. (For the LESC)
- S 151a PUBLIC EDUCATION DEPARTMENT ACT, *Nava* — amends the Public School Code to transfer the powers and duties of SBE and the State Superintendent of Public Instruction to PED and the Secretary of Public Education; and to define the powers and duties of the Public Education Commission. (For the LESC)
- S 175 NM QUALITY AWARDS PROGRAM, *Aragon* — appropriates \$100,000 from the General Fund to the Economic Development Department for FY 05 to support the administration of the New Mexico Quality Awards Program for business, education, government, and health care. [Identical to H 396]
- S 178a CONTRACTOR & SUBCONTRACTOR REGISTRATION, *Aragon* — requires contractors, together with their subcontractors, who bid on public works projects subject to the Public Works Minimum Wage Act to be registered with the Labor and Industrial Division of the Labor Department; imposes a registration fee of \$200; creates the Labor Enforcement Fund; and provides means by which the Director of the Labor and Industrial Division may seek remedies for violations. (May affect public schools) [Identical to H 471a, which passed]
- S 182 MID-SCHOOL SCIENCE & MATH TEACHER TRAINING, *Martinez* — appropriates \$260,000 from the General Fund to the Board of Regents of Northern New Mexico State School for FY 05 to provide a program to improve the skills, technical knowledge, and teaching techniques of middle school science, math, and technology teachers.
- S 185 DEVELOPMENT OF BULLYING PREVENTION PROGRAMS, *Garcia* — defines  
CS/S 185a the term “bullying”; allows PED to establish guidelines for bullying prevention policies by local school boards; allows each local school board to promulgate a bullying prevention policy by August 2005; and allows each public school to implement a bullying prevention program by August 2007. (For the LESC)
- S 187 DIPLOMAS FOR CERTAIN KOREAN CONFLICT VETERANS, *Sanchez, B* — adds a new section to the Public School Code to allow a local school board to issue a high school diploma to a veteran of the Korean Conflict who meets certain conditions; and requires PED to adopt and promulgate rules to implement this provision.
- S 199 DISABILITY TECHNOLOGY PURCHASE FINANCING, *Maes* — appropriates \$519,000 from the General Fund to the New Mexico Technical Assistance Program of the Vocational Rehabilitation Division of PED for FY 05 to provide state matching funds for alternative financing programs to help persons with disabilities purchase assistive technology devices and services.

*FAILED*  
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- \*S 202 PUBLIC PROJECT REVOLVING FUND LOANS, *Rodriguez* — authorizes the New Mexico Finance Authority to make loans for public projects from the Public Project Revolving Fund to certain qualified entities, among them numerous public school districts.
- S 216 STATEWIDE INDEPENDENT LIVING SERVICES, *Jennings* — appropriates \$330,000 from the General Fund to the Vocational Rehabilitation Division of PED for FY 05 to contract with centers for independent living statewide to provide a cost-of-living adjustment, start independent living programs in unserved counties, and support rural independent living services. [Identical to H 281]
- S 227 ENMU TEACHER EDUCATION LEARNING PROGRAM, *Ingle* — appropriates \$200,000 from the General Fund to ENMU for FY 05 and subsequent fiscal years to fund a teacher education distance learning project.
- S 229 HEALTH PROFESSIONAL RECRUITMENT, *Garcia* — appropriates \$750,000 from the General Fund to the Department of Health for FY 05 to contract with a qualified nonprofit health professional recruitment agency to recruit nurse practitioners, certified nurse midwives, nurses, and clinical nurse specialists statewide for employment by or through state agencies. (May affect public schools)
- S 232 NAVAJO CODE TALKER SCHOOL CURRICULUM, *Garcia* — appropriates \$85,000 from the General Fund to PED for FY 05 to develop a Navajo code talker curriculum and multimedia project for public schools.
- S 242 SMALLER LEARNING COMMUNITIES PILOT PROJECT, *Maes* — appropriates \$100,000 from the General Fund to PED for FY 05 to support a smaller learning communities pilot project to provide academic remediation and individualized learning support for students at Santa Fe and Capital high schools. [Identical to H 241]
- S 249 YOUTH VIOLENCE REDUCTION PROGRAMS, *Nava* — appropriates \$250,000 from the General Fund to the Board of Regents of UNM for FY 05 for the College of Education to support a regional center network throughout New Mexico to help teachers incorporate service learning into standards-based education by providing training, technical assistance, and project support for reducing youth violence.
- S 250a INSTRUCTIONAL MATERIAL ALLOCATION CALCULATION, *Nava* — amends the Instructional Material Law to change the basis for determining the instructional material allocation from the 40<sup>th</sup> day of the current school year to the prior year average of the 40<sup>th</sup>-80<sup>th</sup>-120<sup>th</sup>-days; to direct PED to make direct payments to book depositories and/or publishers on behalf of each private school up to the amount of their fiscal-year allocation; to allow PED to assume a 25 percent credit of unencumbered cash balances in determining the allocation to each eligible entity; to allocate 95 percent of the appropriation by April 15; to change the amount of purchase for materials not on the multiple list from 70 percent to 50 percent; and to maintain the current adoption cycle to ensure the lowest available prices for materials. (For the LESC) [Identical to H 345a]

*FAILED*  
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- S 261 HEALTH CARE PROFESSIONAL RECRUITMENT, *Smith* — appropriates \$75,000 from the General Fund to the Department of Health for FY 05 to contract with a qualified nonprofit health care professionals recruitment agency to expand efforts to recruit health care professionals, including nurses. (May affect public schools)
- \*S 265 DROPOUT PREVENTION & LEADERSHIP PROGRAMS, *Aragon* — appropriates approximately \$1.4 million from the General Fund to PED for FY 04 and FY 05 to support a dropout prevention, leadership development, and family education program plan that also provides professional teacher training, development of academic and culturally based language arts and social science curricula for at-risk Hispanic teenagers, and family orientation and goal-planning initiatives.
- S 266a MEDIA LITERACY CURRICULUM, *Sanchez,B* — appropriates \$150,000 from the General Fund to PED for FY 05 to develop a curriculum for public school students in kindergarten through 8<sup>th</sup> grade that includes media literacy skills in the areas of math, science, technology, and successful study habits.
- S 269 UNM & NMSU JOINT CIVIC ENGAGEMENT INITIATIVE, *Nava* — appropriates \$80,000 from the General Fund to the Board of Regents of NMSU for FY 05 for the Regional Educational Technology Assistance Program of the College of Education, in conjunction with the Community Learning and Public Service Program of the College of Education at UNM, to implement web-based civic curriculum for use in the classroom to enhance civic education and to develop and sustain annual New Mexico civic engagement teacher institutes to advance teacher professional development in civic education.
- S 273 NUTRITION ACT, *Cisneros* — enacts the Nutrition Act to improve the quality of food grown in, produced in, or imported into New Mexico or exported from New Mexico, among other purposes; creates the Deputy Secretary for Nutrition in the Department of Environment; creates the Nutrition and Food Safety Division in the department; prescribes powers and duties of the deputy secretary and the department; creates the Nutrition Council, one of whose members is the Secretary of Public Education or a designee; and prescribes duties of the council, one of which is, through PED, to advise school districts on the development of nutrition courses for secondary school students. [Identical to H 303]
- S 274 LOTTERY SCHOLARSHIP ENROLLMENT REQUIREMENTS, *Nava* — amends statute pertaining to lottery scholarships to require a postsecondary institution that requires a student to take a course at or through another institution to count that course when determining the student's full-time enrollment for purposes of lottery tuition scholarships; requires that the postsecondary institution give the student notice to this effect; and provides a grievance procedure for any student denied eligibility for a lottery scholarship by an institution that did not adhere to these provisions.

*FAILED*  
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- S 277 NM HIGHLANDS SPANISH LANGUAGE FACULTY, *Campos* — appropriates \$350,000 from the General Fund to the Board of Regents of NMHU for FY 05 to hire Spanish language faculty for various disciplines, including teaching bilingual students and producing bilingual teachers. (May affect public schools) [Identical to H 334]
- S 280 HIGH SCHOOL MOCK TRIAL PROGRAM, *Rodriguez* — appropriates \$200,000 from the General Fund to the Board of Regents of UNM for FY 05 for the School of Law to conduct the New Mexico High School Mock Trial Program.
- S 283 AGUA FRIA ELEMENTARY SCHOOL SUMMER DAY CAMP, *Rodriguez* — appropriates \$125,000 from the General Fund to PED for FY 05 to support, in collaboration with the Santa Fe Public Schools, a museum-based early childhood community summer day camp program at Agua Fria Elementary School in Santa Fe.
- S 287 STATEWIDE TRANSITION COORDINATING COUNCIL, *Campos* — amends the Public School Code to create the Statewide Transition Coordinating Council to develop strategies and models for the delivery of transition planning and support and to assess the effectiveness of the delivery and implementation of transition planning and support; requires the council to report, by November 1 of each year, the results of its studies and activities to the LESC, among other entities; and appropriates \$54,000 from the General Fund to PED for FY 05 to support the activities of the council and to provide leadership and professional development training to school districts.
- S 292a BEHAVIORAL HEALTH PLANNING COUNCIL, *Komadina* — amends the Public Health Act to create the Behavioral Health Planning Council, whose members include a representative from education; prescribes duties of the council; creates the Interagency Behavioral Health Purchasing Collaborative, whose members include the Secretary of Public Education; prescribes duties of the collaborative, among them to plan, design, and direct a statewide behavioral health system; amends the duties of the New Mexico Health Policy Commission; and requires that PED, among other agencies, ensure that behavioral health services comply with the law. (For the Governor)
- S 293 EARLY CHILDHOOD TEACHERS IN COLLEGE COURSES, *Beffort* — appropriates \$150,000 from the TANF block grant to CYFD for FY 05 for the Office of Child Development to contract with persons employed as early childhood teachers enrolled in a degree course at a postsecondary educational institution to improve their employment skills.
- S 300 PARENTAL SCHOOL CHOICE SCHOLARSHIPS, *Aragon* — enacts the Parental School Choice Act to establish in 11 school districts a pilot program that provides eligible students the opportunity to attend their parents' choice of public or private school in order to accommodate the students' individual needs and interests; creates the Parental School Choice Scholarship Pilot Program, to be administered by PED from school years 2004-2005 through 2007-2008; establishes financial and geographic criteria for student participation; provides scholarships that parents may use to enroll their children in an eligible public or private school of their choice;

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and sets the value of the scholarship as the amount of money generated by the student through the State Equalization Guarantee Distribution, including proportionate amounts for transportation and at-risk funding, but no less than 80 percent of the student's school district per-pupil expenditure.

- S 304 SANTA FE YOUTH PERFORMING ARTS EDUCATION, *Maes* — appropriates \$200,000 from the General Fund to the Office of Cultural Affairs for FY 05 to implement and operate a program for youth education in the performing arts, conducted in a year-round performing arts center in Santa Fe.
- S 305a PUBLIC EMPLOYEE BENEFIT CONTRIBUTIONS, *Beffort* — amends statute to require that the group insurance contributions of state departments or agencies in the executive, legislative, and judicial branches be a fixed dollar amount according to salary and to require that the Legislature determine and appropriate the amount available for group insurance benefits and contributions each year. (May affect PED)
- S 312 BACCALAUREATE PROGRAM IN TEACHER EDUCATION, *Martinez* — appropriates \$100,000 from the General Fund to the Board of Regents of Northern New Mexico State School for FY 05 to develop a baccalaureate program in teacher education at the Española campus.
- \*S 314 ELECTRONIC GOVERNMENT ACT, *Smith* — enacts the Electronic Government Act to establish an electronic government and management structure to provide oversight, review, fiscal monitoring, strategic planning, and policy development for the state's electronic government initiatives; creates the Electronic Government Commission and prescribes its duties; requires the Governor to designate a state agency as the lead agency for state electronic government activities; and allows this lead agency, upon request, to offer assistance or expertise on electronic government to various public entities, among them public school districts.
- S 319 TEEN PARENTING & PREGNANCY PREVENTION PROGRAM, *Lopez* — appropriates \$1.3 million from TANF maintenance of effort funding to PED for FY 05 to provide secondary parenting classes and case management, on-site childcare services, and fatherhood support groups to reduce out-of-wedlock births.
- S 328 HISPANIC AFFAIRS ACT, *Aragon* — enacts the Hispanic Affairs Act and creates the Office of Hispanic Affairs, administratively attached to HSD; prescribes duties of the office, among them to study issues important to Hispanics, like education, and to act as an advocate for Hispanic residents of New Mexico; creates the Office of Hispanic Affairs Fund in the State Treasury, to be administered by the office; and appropriates \$250,000 from the General Fund to the Office of Hispanic Affairs for FY 05 and subsequent fiscal years to implement the provisions of the bill.

*FAILED*  
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- S 330 CURFEW ENFORCEMENT ACT, *Payne* — enacts the Curfew Enforcement Act to  
CS/S 330 cover the time period from 12:00 a.m. to 5:00 a.m. for children under 18 years old and  
includes an exception for activities authorized by a school, church, or community organization.
- S 331 LOTTERY SCHOLARSHIPS FOR TRIBAL INSTITUTIONS, *Tsosie* — amends statute to  
extend the lottery scholarships to students enrolled in postsecondary institutions created by an  
Indian nation, tribe, or pueblo or by the federal government.
- S 334 STATE EMPLOYEE GROUP INSURANCE CONTRIBUTIONS, *Romero* — amends  
group insurance statutes to phase in an increase in the percentage of the required employers'  
contribution to state employees' group insurance (including public school employees), as well  
as to raise category limits in the employees' salary scale with permanent implementation  
effective in FY 05; and includes temporary provisions to hold employees harmless for any  
salary increases between January 2005 and January 2006. (For the Governor)
- \*S 336 DROPOUT PREVENTION PROGRAMS, *Sanchez,B* — appropriates \$1.0 million from the  
General Fund to PED for FY 04 and FY 05 to contract with a private nonprofit organization to  
establish dropout prevention programs in certain counties.
- S 339 NUTRITION IN SCHOOLS ACT, *Campos* — enacts the Nutrition in Schools Act; requires  
PED to establish rules to control the sale of competitive foods in the public schools; prescribes  
conditions for the accessibility of beverages in public schools; and includes a temporary  
provision to accommodate contracts currently in effect.
- S 340 CAPITAL PROJECTS ACT, *Campos* — enacts the Capital Projects Act; creates the 12-  
member Capital Projects Council, one of whose members is the CHE Director, to evaluate and  
prioritize statewide and local capital outlay projects and to monitor and oversee projects  
authorized by the Legislature so that appropriations are expended in an equitable and cost-  
effective manner; prescribes duties of the council; and provides that, after July 1, 2005, an  
agency, political subdivision, instrumentality, or institution of the state may submit a proposal for  
a capital project. (May affect public schools)
- S 357 NONRESIDENT STUDENT TUITION DIFFERENTIALS, *Leavell* — requires the  
governing boards of community colleges and technical vocational institutes to waive the  
nonresident tuition differential for students who live in another state or country within 135 miles  
of the institution and to negotiate reciprocal agreements with those border states; and allows  
the board of regents of the parent institution of a branch community college to waive the  
nonresident tuition differential for students who live in another state or country within 135 miles  
of the institution without the other states participating in a reciprocal agreement.  
[Identical to H 330]
- S 371 LOW-INCOME FAMILY RELATIONSHIP TRAINING, *Boitano* — appropriates  
\$200,000 from the General Fund to HSD for FY 05 to contract with nonprofit organizations in  
Doña Ana and Bernalillo counties to provide public advertising campaigns on a variety of  
topics, among them education in high schools on relationship skills.



*FAILED*  
*PUBLIC SCHOOL-RELATED LEGISLATION*  
*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- S 372 PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL CHANGES, *Nava* — changes the membership of the Public School Capital Outlay Council to exclude the Director of the LESC and the Director of the Legislative Council Service and replace them with the Chair of the House Education Committee and the Chair of the Senate Education Committee; and adds two public members appointed by the Governor.
- S 373 STATE EMPLOYEE GROUP INSURANCE CONTRIBUTIONS, *Romero* — amends group insurance statutes to exclude institutions of higher education and public schools from a proposed increase in the percentage of the required employers' contribution to state employees' group insurance, as well as to raise category limits in the employees' salary scale effective in FY 04; and includes temporary provisions to hold employees harmless for any salary increases between January 2005 and January 2006.
- S 374 SOFT DRINK TAX ACT, *Kidd* — enacts the Soft Drink Tax Act to impose an excise tax on any wholesaler who sells soft drinks, as defined in the bill; provides certain exemptions, credits, and deductions; and creates the Soft Drink Medicaid Fund, to be administered by HSD and to support the state Medicaid program exclusively. (May affect public schools)
- S 375 SCHOOL HEALTH EDUCATION & NUTRITION ACT, *Campos* — enacts the School Health Education and Nutrition Act to provide New Mexico public school students with optimal nutrition and with nutrition and physical activity education to promote better health and improve their learning abilities; requires PED to appoint a committee to study and make recommendations regarding nutrition and physical activity of students; and appropriates \$50,000 from the General Fund to PED for FY 05 to conduct the study.
- S 387 HEPATITIS C OUTREACH & TREATMENT PROGRAM, *Aragon* — appropriates \$1.6 million from the General Fund to the Board of Regents of UNM for FY 05 to establish a statewide hepatitis C virus outreach identification and treatment program, including patient, community, and professional education. (May affect public schools)
- \*S 388 CAPITAL PROJECTS REVIEW ACT, *Snyder* — enacts the Capital Projects Review Act to create a joint interim capital projects review committee to evaluate and prioritize proposed statewide and local capital outlay projects and to monitor projects authorized by the Legislature to ensure that appropriations are expended in the most cost-effective manner; creates the Capital Projects Review Committee, composed of six representatives appointed by the Speaker of the House and six senators appointed by the President Pro Tempore of the Senate; prescribes duties of the committee; and exempts certain projects from committee review, among them capital projects funded pursuant to the Public School Capital Outlay Act. (May affect public schools)
- S 390 BELEN SCHOOLS LIBRARY MATERIALS, *Sanchez, M* — appropriates \$25,000 from the General Fund to PED for FY 05 to purchase library materials, including DVDs, computer software, and videos, for the Belen Consolidated Schools.

*FAILED*  
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- S 396 EARLY CHILDHOOD PROGRAM & TEACHER SUPPORT, *Nava* — appropriates \$500,000 from the General Fund to CYFD for FY 05 to provide support for professionally trained early childhood teachers and early childhood programs to ensure that children are ready for school when they enter kindergarten. [Identical to H 405]
- S 397 REGIONAL EDUCATION TECHNOLOGY ASSISTANCE, *Nava* — appropriates \$500,000 from the General Fund to PED for FY 05 for the Regional Educational Technology Assistance (RETA) Program.
- S 398 GADSDEN BULLYING & VIOLENCE PREVENTION, *Nava* — appropriates \$50,000 from the General Fund to PED for FY 05 to contract for the development, implementation, and evaluation of a bullying and violence prevention program in the Gadsden Independent Schools.
- S 400 CONTINUE NMSU SABER Y HACER CURRICULUM, *Nava* — appropriates \$30,000 from the General Fund to the Board of Regents of NMSU for FY 05 to continue development of the *saber y hacer* curriculum to provide college prep training statewide for Hispanic students.
- S 403a CHARTER SCHOOL STANDARDS, *Leavell* — among its provisions, amends the 1999 Charter Schools Act to provide a mediation process to resolve disputes between charter schools and their respective school districts; to authorize the Secretary of Public Education to allow a charter school to maintain separate facilities but for purposes of calculating SEG program units, to require that the separate facilities must be treated as a single school; to clarify charter schools' access to school district property and capital funding; to require that charter school facilities meet life, health, and safety codes and adequacy standards; and to require that, after January 1, 2009, all charter schools applying for renewal be housed in public buildings, with certain exceptions. (For the PSCOTF and the LESC)
- S 406a EDUCATIONAL RETIREES RETURNING TO WORK, *Campos* — amends the Educational Retirement Act to allow a retired member to maintain retirement benefits and to begin working at any time for an institution of higher education named in the state constitution as long as certain conditions are met, among them that the retired member is directly responsible for annual grants or awards of \$100,000 or more and that the institution will offset any adverse actuarial impact; and provides that the 90-day lay-out period applicable to members who retired on or before January 1, 2001, not include any part of a summer or other scheduled break or vacation period.
- S 407 SEVERANCE TAX BONDS FOR SCHOOL IMPROVEMENTS, *Campos* — authorizes the State Board of Finance to issue supplemental severance tax bonds for FY 04, under certain conditions, to correct deficiencies in public schools pursuant to the Public School Capital Outlay Act.

*FAILED*  
*PUBLIC SCHOOL-RELATED LEGISLATION*  
*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- S 412 UNM SCHOOL OF NURSING, *Robinson* — appropriates \$500,000 from the General Fund to the Board of Regents at UNM for FY 05 to double the faculty and to pay the costs to increase the number of candidates receiving instruction at the school of nursing. (May affect public schools)
- S 419 UNM COLLEGE PREPARATORY MENTORING PROGRAMS, *Robinson* — appropriates \$150,000 from the General Fund to the Board of Regents of UNM for FY 05 to support the implementation of college preparatory mentoring programs for eighth graders in APS.
- S 429 INCREASE NUMBER OF LESC MEMBERS, *Garcia* — increases the Senate membership of the LESC from four to five for a total voting membership of 11 instead of ten.
- S 430 WNMU TEACHER TECHNOLOGY TRAINING, *Rainaldi* — appropriates \$15,000 from the General Fund to the Board of Regents of WNMU for FY 05 to provide training for teachers to use educational technology and to purchase related equipment, including software and videotapes.
- S 434 BERNALILLO & SANTA FE COMPUTER CLUB HOUSES, *Aragon* — appropriates \$450,000 from the General Fund to CYFD for FY 05 to fund computer club houses in Albuquerque, Bernalillo, and Santa Fe. (May affect public schools)
- S 435 CHAVES COUNTY CHARACTER COUNTS PROGRAM, *Jennings* — appropriates \$70,000 from the General Fund to PED for FY 05 to contract for Character Counts program services in Chaves County.
- S 454 CONSTRUCTION MANAGER QUALIFICATIONS, *Snyder* — amends statute to amend the terms of a contract between a state agency or local public body and a construction manager who subcontracts with subcontractors; and to specify duties of a construction manager. (May affect public schools)
- S 460 CHANGE EDUCATIONAL RETIREMENT CONTRIBUTIONS, *Jennings* — amends the Educational Retirement Act (ERA) to increase by 1.0 percent the contribution rates of members and of local administrative units; and appropriates \$40.0 million from the General Fund to the Educational Retirement Fund for FY 05 and subsequent fiscal years to make disbursements pursuant to the ERA.
- S 474 CHARTER SCHOOLS EDUCATIONAL COOPERATIVE, *Boitano* — enacts the Charter Schools Educational Cooperative Act to allow charter schools to create the Charter Schools Educational Cooperative, a state agency administratively attached to PED, under certain conditions; requires the cooperative to develop a long-range plan for educational and technical assistance for charter schools; creates the Charter Schools Educational Cooperative Coordinating Council, composed of the principals or financial officers of each charter school that participates in the cooperative; prescribes powers and duties of the council; and appropriates \$150,000 from the General Fund to PED for FY 05 to carry out the provisions of the act.

*FAILED*  
*PUBLIC SCHOOL-RELATED LEGISLATION*  
*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- S 475 EDUCATION DEPARTMENT AS CHARTERING AUTHORITY, *Boitano* — amends the 1999 Charter Schools Act to allow PED, along with local school boards, to be a “chartering authority,” that is, an entity that can approve the establishment of a charter school; provides that decisions of PED as a chartering authority may be appealed to an impartial hearing officer appointed by the Secretary of Public Education; and extends the charter renewal period from five to 15 years.
- S 479 LOWER MINIMUM DESIGN & BUILD PROJECT COSTS, *Aragon* — amends the Procurement Code to authorize a design and build project delivery system to be used on a specific project with a maximum allowable construction cost of no more than \$500,000, rather than \$10.0 million. (May affect public schools)
- S 482 ALBUQUERQUE STUDENT MENTORING PROGRAM, *Romero* — appropriates \$300,000 from the General Fund to PED for FY 05 to support a mentorship program that includes behavioral health education and civic responsibility training for African-American male youth in APS.
- S 484 ALBUQUERQUE DROPOUT PREVENTION PROGRAM, *Romero* — appropriates \$664,450 from the General Fund to PED for FY 05 to contract for a high school dropout prevention and leadership program for Hispanic students in Albuquerque.
- S 485 VIDEO SERIES FOR MIDDLE SCHOOL STUDENTS, *Romero* — appropriates \$252,000 from the General Fund to PED for FY 05 to install a video series on the department’s website targeted at middle school students to motivate them toward careers that require trained employees.
- S 486 NM SYMPHONY PROGRAM AT HISPANIC CENTER, *Romero* — appropriates \$20,000 from the General Fund to the Office of Cultural Affairs for FY 05 to provide for educational services by the New Mexico Symphony Orchestra for the National Hispanic Cultural Center. (May affect public schools)
- S 487 ALBUQUERQUE SCIENCE & ENGINEERING FAIR, *Romero* — appropriates \$300,000 from the General Fund to the Local Government Division of DFA for FY 05 to provide for a science and engineering fair in Albuquerque. (May affect public schools)
- S 488 TEACHER PROFESSIONAL DEVELOPMENT TRAINING, *Romero* — appropriates \$1.5 million from the General Fund to PED for FY 05 to contract with a community-based organization to work for continuous improvement in student achievement and performance by providing Baldrige-based training and consulting to school personnel, school board members, students, parents, PED personnel, community college partners, college of education partners, and members of the community.

*FAILED*  
*PUBLIC SCHOOL-RELATED LEGISLATION*  
*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- S 492 NATIVE AMERICAN BILINGUAL PROGRAM ASSESSMENT, *Griego* — appropriates \$150,000 from the General Fund to the Bilingual Multicultural Education Unit at PED for FY 05 to contract for an assessment of existing Native American bilingual programs, including an evaluation of the strengths, needs, and future direction of the programs.
- S 498 SEX & PARENTING EDUCATION CURRICULUM PLANNING, *Nava* — appropriates \$150,000 from the General Fund to PED for FY 05 to assist public school districts in curriculum planning to provide sex education, including information about teen pregnancy and parenting, that is consistent with the desires of parents and communities and aligned with state standards and benchmarks.
- S 512 EXTRACURRICULAR ACTIVITY INCOME TAX CREDIT, *Kysar* — adds a new section to the Income Tax Act to allow a credit for the amount of cash contributions to a public school district in New Mexico to support extracurricular activities.
- S 517 ENMU HOBBS EDUCATIONAL CENTER, *Ingle* — appropriates \$145,000 from the General Fund to the Board of Regents of ENMU for FY 05 to establish an educational center in Hobbs that offers bachelor's and master's degrees in education and a master's degree in business administration.
- S 521 CHARTER SCHOOLS INDEPENDENT OF DISTRICTS, *Nava* — among other  
CS/S 521a provisions, amends the 1999 Charter Schools Act: to give chartering authority to PED in addition to local school boards; to make each charter school its own board of finance, except for capital outlay and transportation funding; to limit conversion charter schools to those that were created prior to July 1, 2004, and to limit the number of start-up schools; to allow the chartering authority to authorize a charter school to maintain separate facilities within the same district but, for purposes of calculating SEG program units, to require that the separate facilities be treated as a single school; to address facilities needs and responsibilities of charter schools; to specify grounds on which charter applications may be denied or charters revoked; to allow PED to withhold and use for its administrative support up to 3.0 percent of the school-generated program cost allocated to a charter school that PED authorizes; and to provide a saving clause for charter schools authorized by a local school board prior to July 1, 2004; and amends the Public School Finance Act to require charter schools approved after July 1, 2004, to submit budgets directly to PED.
- S 525 TATUM SCHOOL DISTRICT HORSE RIDING LESSONS, *Kidd* — appropriates \$10,000 from the General Fund to PED for FY 05 to contract for therapeutic horseback riding lessons for individuals with disabilities or special needs in the Tatum Municipal Schools. [Identical to H 571]
- S 535 CHANGE CHARTER SCHOOL RENEWAL DATES, *Boitano* — amends the schedule for renewing a charter in the 1999 Charter Schools Act to require the governing body of a charter school to submit an application for renewal by July 1 of the fiscal year in which the charter expires and to require the local school board to act on the application by September 1 of the same fiscal year, or on a mutually agreed upon date.

*FAILED*  
*PUBLIC SCHOOL-RELATED LEGISLATION*  
*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- S 538 CONSOLIDATED HEALTH CARE PROGRAM PURCHASES, *Feldman* — among its provisions, creates the Health Care Purchasing Authority, with 29 members, including several school personnel selected with the advice and consent of the Senate; specifies powers and duties of the authority, one of which is to procure health care benefits pursuant to the Health Care Purchasing Act and the Procurement Code, including at least one option that is not an HMO; creates the Health Care Purchasing Fund, with separate subaccounts for participants of the Retiree Health Care Act, the Group Benefits Act, the Public Schools Insurance Authority, or a school district with more than 60,000 students; and provides for the transfer of property from NMPSIA and other health care authorities to the General Services Department. (For the Governor)
- S 540 THIRD PARTY INSURER RISK ADMINISTRATION FEE, *Aragon* — imposes a risk administration fee on each third party administrator that performs services for any person that self-insures against health risks; establishes specific fees for certain kinds of coverage beginning in FY 05; and provides that, in subsequent fiscal years, the fee rate be adjusted according to the Consumer Price Index. (May affect public schools)
- \*S 542 2004 CAPITAL PROJECTS GO BOND ACT, *Campos* — enacts the 2004 Capital Projects General Obligation Bond Act; and specifies that, among the distributions of the proceeds from the sale of the bonds, is \$5.0 million to purchase and install educational technology in public schools statewide to implement the provisions of the Technology for Education Act.
- S 543 INFRASTRUCTURE RENOVATION & FINANCING, *Aragon* — enacts the Infrastructure Renovation and Performance Guarantee Act to authorize local authorities to purchase, renovate, and re-sell deteriorated eligible civil infrastructure assets; and, among other provisions, prescribes conditions under which a state agency, local public body, school district, or state educational institution may dispose of real property, including by negotiated sale or donation to an Indian nation, tribe, or pueblo.
- S 547 EDUCATIONAL TECHNOLOGY FUND DISTRIBUTIONS, *Lopez* — amends the Technology for Education Act to allow accredited private schools to receive distributions from the Educational Technology Fund; prescribes related duties of accredited private schools that receive these distributions; defines “software technology” to exclude the teaching of religious tenets, doctrines, or worship; and amends the membership of the Council on Technology in Education to include one member who has expertise in accredited private schooling.
- S 553a AT-HOME INFANT CARE ACT, *Lopez* — enacts the At-Home Infant Care Act; creates the At-Home Infant Care Program, a pilot project for 50 low-income parents of children 23 months old or younger to provide care for their children at home; provides early childhood education training for adult members of each family in the project; and appropriates \$180,000 from TANF maintenance of effort funds to CYFD for FY 05 to implement the program.

*FAILED*  
**PUBLIC SCHOOL-RELATED LEGISLATION**  
**FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004**

- \*S 555    CONDITIONS OF UNEXPENDED BALANCE REVERSIONS, *Fidel* — among other provisions, requires that any unexpended balance appropriated for educational technology or equipment or furniture that is not part of a more inclusive construction or renovation project be returned to the originating fund at the end of the fiscal year following the fiscal year in which the appropriation was made. [Identical to \*H 558]
- S 556    SCHOOL DISTRICT FUNDING OF COCHLEAR SURGERY, *Jennings* — allows a school district to provide special education funding for cochlear implant surgery for children under certain conditions; and appropriates \$100,000 from the General Fund to the Board of Regents of UNM for FY 05 to create a cochlear implant surgery center with an emphasis on certain school-aged children.
- S 562    FEES FOR CRIMINAL BACKGROUND CHECKS, *Altamirano* — permits the  
\*CS/S 562a Department of Public Safety to charge an administrative fee of up to \$53.00 for processing fingerprint-supported arrest record information that the department maintains. (May affect public schools)
- \*S 567    COUNTY & MUNICIPALITY TAX RATE CHANGES, *Aragon* — increases the property tax rate authorized for certain counties and decreases the tax rate authorized for certain municipalities. (May affect public schools) [Identical to \*H 566]
- S 582    FINE ARTS EDUCATION PROGRAM UNITS, *Nava* — amends the cost differential  
CS/S 582 used to calculate the fine arts program units in the Public School Funding Formula from 0.0332 to 0.0166 for FY 05 and from 0.05 to 0.025 for FY 06 and succeeding fiscal years.
- S 588    TRIBAL COLLEGE ACT, *Pinto* — enacts the Tribal College Act; creates the  
CS/S 588 Tribal College Fund; and appropriates 25 percent of the revenue sharing from the gaming compacts from the General Fund to the Tribal College Fund in FY 05 and subsequent fiscal years to implement the act. [Identical to H 569]
- S 627    INCOME TAX RELIEF & RAISING TAX ON OIL, *Cisneros* — amends the Oil and Gas Emergency School Tax Act to increase the tax levied on oil and gas removed from wells.

**SENATE JOINT RESOLUTIONS**

- SJR 1    REQUIRE FUNDING FOR SCHOOL MANDATES, CA, *Komadina* — proposes to amend Article 4 of the state constitution to require that any new service or activity imposed upon a school district not have the force of law until the state provides sufficient new funding or a means of new funding to pay the cost of the activity or service.
- SJR 8    BERNALILLO-ALBUQUERQUE MERGER ELECTIONS, CA, *Lopez* — proposes to repeal Article 10, Section 11 of the state constitution, which provides procedures to merge the governments of Bernalillo County and the city of Albuquerque into a single urban government. (May affect public schools) [Identical to HJR 9]

*FAILED*  
**PUBLIC SCHOOL-RELATED LEGISLATION**  
**FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004**

- SJR 10 SCHOOL DISTRICT APPROVAL OF LEASES, CA, *Boitano* — proposes to amend Article 9, Section 11 of the state constitution to allow the qualified electors of a school district to approve lease-purchase agreements for classrooms and other facilities for charter schools and to exempt those agreements from the district's debt limitation.

**SENATE RESOLUTIONS**

- SR 1 CAPITAL OUTLAY FUND EXPENDITURE GUIDELINES, *Ingle* — proposes guidelines for the appropriation of state funds for capital outlay projects in 2004. (May affect public schools) [Identical to HR 2, which passed]

**SENATE JOINT MEMORIALS**

- SJM 5a UPHOLDING BILL OF RIGHTS & CONSTITUTION, *McSorley* — requests that the Legislature, among other measures to protect the civil rights of residents of New Mexico, request the public schools and the institutions of higher education to provide notice to any individuals whose education records have been obtained by law enforcement agents pursuant to the federal USA Patriot Act.
- SJM 7 DEVELOP CRIMES AGAINST CHILDREN TEAMS, *Feldman* — requests that the New Mexico Crimes against Children Task Force develop a multidisciplinary team for each judicial district in the state and that school representatives serve on each team. [Identical to HJM 4]
- SJM 8a PRIVATE PURCHASE OF HEALTH INSURANCE, *Feldman* — requests that the Human Services Department and the New Mexico Health Policy Commission, together with a representative from every insurance company that does business in New Mexico, and with the cooperation of the Insurance Division of the Public Regulation Commission and the Risk Management Division of the General Services Department, study the potential effects and methods of authorizing private businesses and individuals to join a public health insurance purchasing collaborative. (For the Governor)
- SJM 14 STUDY STATEWIDE PRE-KINDERGARTEN PROGRAMS, *Kernan* — requests that PED, in collaboration with the Child Development Board, study the programs currently offered by licensed preschools to four-year-old children and align the standards of those programs as needed to ensure that the children served will be ready for kindergarten; study the feasibility of establishing a state-funded, voluntary, statewide preschool program to serve four-year-old children; and examine the results of the Kindergarten Plus Pilot Program for the possibility of statewide implementation. (For the LESC) [Identical to HJM 10]
- SJM 15a DEVELOP COMPREHENSIVE TEEN PARENT ISSUES PLAN, *Lopez* — requests that CYFD convene a group to study issues related to teen parents and develop a comprehensive strategic plan to address those issues.



*FAILED*  
*PUBLIC SCHOOL-RELATED LEGISLATION*  
*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- SJM 16 CHILDREN OF INCARCERATED PARENTS TASK FORCE, *Lopez* — requests that CYFD and the Human Services Department continue to convene a task force, including PED, among other agencies, to develop a plan to identify children of incarcerated parents and to develop an interdepartmental plan to address the needs of those children.
- SJM 17a COST-OF-LIVING BENEFIT FOR EDUCATION RETIREES, *Garcia* — requests that the Educational Retirement Board study a 3.0 percent annual cost-of-living benefit increase for educational retirement recipients by December 31, 2004.
- SJM 18a STUDY COMPULSORY ATTENDANCE LAW & TRUANCY, *Papen* — requests that CYFD, in collaboration with PED and the Department of Health, study the Family in Need of Services Act to identify strategies and methods to address and prevent truancy and to keep students in school; review the enforcement and intervention provisions in the Compulsory School Attendance Law and the Family in Need of Services Act to ensure a cohesive framework to prevent truancy; and report findings and recommendations to the LESC by November 2004. (For the LESC)
- SJM 19 IMPACT OF HEALTH INSURANCE TAX CREDITS, *Beffort* — requests that the New Mexico Health Policy Commission, with the cooperation of the Insurance Division of the PRC and the Taxation and Revenue Department, study the impact of providing refundable tax credits for low-income persons based on the amount spent for health insurance. (May affect public schools)
- SJM 21 SCHOOL & COLLEGE FUNDING PARITY STUDY, *Nava* — requests that CHE collaborate with the public institutions of higher education to study the Higher Education Funding Formula to determine parity among the various schools and colleges within each institution, especially as it relates to student-generated funding between the colleges and schools of education and other colleges or schools within the institution; and that CHE report its findings and recommendations to the LESC by November 1, 2004. (For the LESC)
- SJM 22 STUDY VIRTUAL ANATOMY INSTEAD OF DISSECTION, *Papen* — requests that PED study the use of virtual anatomy as an acceptable alternative to animal dissection. (For the LESC) [Identical to HJM 8, which passed]
- SJM 28 EVALUATE STANDARDS-BASED REPORT CARDS, *Boitano* — requests that PED evaluate the standards-based student report cards being implemented by APS and report its findings and recommendations periodically to the LESC.
- SJM 29 NEW MEXICO MESA DAY, *Lopez* — designates February 2, 2004, as “New Mexico MESA Day.” [Identical to HJM 47, which passed]

*FAILED*  
*PUBLIC SCHOOL-RELATED LEGISLATION*  
*FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004*

- SJM 31a CHILDREN OF INCARCERATED PARENTS TASK FORCE, *Rainaldi* — requests that CYFD and the Human Services Department continue to convene a task force, including PED, among other agencies, to develop a plan to identify children of incarcerated parents and to develop an interdepartmental plan to address the needs of those children.
- SJM 32 HEALTH CARE WORKFORCE DEVELOPMENT CENTER, *Lopez* — requests that the Department of Health, in conjunction with the New Mexico Health Policy Commission, conduct a study to ascertain the need for a health care and human services workforce development center.
- SJM 35 YOUTH PHYSICAL ACTIVITY & EATING HABITS, *Campos* — requests that the Department of Health and PED collaborate in a study of methods to increase the physical activity and improve the eating habits of youth.
- SJM 43 PAROLEE INTEGRATION TASK FORCE, *Martinez* — requests that the Secretary of Corrections convene a task force to study barriers to successful reintegration of parolees into their communities and that the task force include the Secretary of Public Education as one of its members. [Identical to HJM 53, which passed]
- SJM 44 REQUIRE EARLY INTERVENTION SERVICES INSURANCE, *Nava* — requests that the Department of Health create a task force to study the feasibility of requiring that insurers providing individual or group accident and illness insurance policies expand their coverage to early intervention services for infants and toddlers with developmental delays or disabilities. (May affect public schools)
- SJM 45 ESPAÑOLA VALLEY DAY, *Martinez* — recognizes February 6, 2004, as “Española Valley Day” at the New Mexico Legislature.
- SJM 47 INCLUDE ENLACE PROGRAM IN INPUT BODIES LIST, *Nava* — requests that PED include the ENLACE in New Mexico program in the department’s task forces, councils, and advisory groups to contribute to increasing educational attainment and eliminating the achievement gap among all of New Mexico’s students. [Identical to HJM 35]
- SJM 51 BILINGUAL MULTICULTURAL EDUCATION ACT CHANGES, *Nava* — requests that the LESC, in cooperation with PED, conduct a feasibility study to determine potential changes to the Bilingual Multicultural Education Act to better serve students in New Mexico.
- SJM 55 STUDY UNFUNDED MANDATES TO PUBLIC SCHOOLS, *Komadina* — requests that the LESC, in cooperation with PED, study the issue of unfunded or partially funded mandates from federal and state law and department rules; and that the LESC make recommendations to the Legislature.
- SJM 58 STUDY SERVICES FOR GIFTED STUDENTS, *Nava* — requests that the LESC study services for gifted students and find ways to improve those services.

*FAILED*  
**PUBLIC SCHOOL-RELATED LEGISLATION**  
**FORTY-SIXTH LEGISLATURE, SECOND SESSION, 2004**

- SJM 63      WORKPLACE READINESS CERTIFICATION PROGRAM, *Beffort* — requests that the State Workforce Development Board appoint a subcommittee, including public school and higher education workforce training providers, to study the feasibility of implementing a workplace readiness certification program in one-stop career centers, community colleges, and public schools; and report to the appropriate legislative interim committees prior to November 1, 2004.
- SJM 64      ENMU TECHNOLOGY TRANSFER CENTER TASK FORCE, *Jennings* — requests that the Roswell Branch of ENMU designate a task force to address the coordination of community colleges, national laboratories, and other federal research agencies located in New Mexico for the creation of technology transfer centers and workforce development centers; and requests a report of findings to the Economic and Rural Development and Telecommunications Committee. (May affect public schools)
- SJM 65      EDUCATIONAL RETIREMENT BOARD SOUNDNESS, *Jennings* — requests that the Educational Retirement Board develop a plan to restore its pension fund to a state of actuarial soundness and report its findings and recommendations to the LESC and the LFC prior to the next legislative session.
- SJM 71      HEALTH VALUE OF PRECAUTIONARY PRINCIPLE, *Martinez* — requests that the Legislative Health and Human Services Committee assess the public health value of implementing the “precautionary principle,” which is a belief that precautionary measures should be taken in response to a threat to human health or the environment even if a direct cause-and-effect relationship is not established. (May affect public schools) [Identical to HJM 89]
- SJM 74      ADDRESS ISSUES IMPEDING DUAL CREDIT PROGRAM, *Nava* — requests that CHE, in coordination with PED and representatives from colleges and public schools, examine the problems in implementing the dual credit program and address issues relating to compliance, communication, and oversight of the program; that CHE and PED recommend any changes in law, policy, or regulation to ensure successful implementation of the dual credit program and to remove barriers to its implementation; and that CHE and PED report to the LESC no later than November 15, 2004.
- SJM 77      HEALTH CARE EXPENDITURE & REFORM OPTION STUDY, *Aragon* — requests that the Health Policy Commission conduct a comprehensive study to determine current and projected health expenditures in New Mexico that will serve as a base line for proposals for dealing with expenditures and reform options. (May affect public schools)

**SENATE MEMORIALS**

- SM 23      STUDY NM ACTIVITIES ASSOCIATION, *Nava* — requests that the LESC study the governance structure and rulemaking process of the New Mexico Activities Association (NMAA), including the relationship among the NMAA and school districts and PED and the need for appeals from decisions of the NMAA. [Identical to HM 31]