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D. Pauline Rindone, Ph.D., Director
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April 11, 2005

MEMORANDUM

TO: New Mexico Legislators

FROM: D. Pauline Rindone

RE: **Summary of Public School-Related Legislation Passed by the Forty-Seventh Legislature, First Session, 2005 (*after executive action*)**

The enclosed materials represent an overview of the 2005 legislative action related to public school support and other public school-related legislation – ***after executive action***.

Several education issues appeared to dominate the 2005 legislative session, including adequate funding to “open the school doors,” pre-kindergarten, the solvency – or lack thereof – of the Educational Retirement Fund, employee compensation, continued implementation of the next phase of the three-tiered licensure minimum salaries, and other educational reforms enacted by the 2003 Legislature.

This year, the Legislature passed two general appropriation acts: CS/HB 2, et al., as amended (Laws 2005, Chapter 33), which contains the funding for public school support and for the Public Education Department (PED); and CS/SB 190, as amended (Laws 2005, Chapter 34, nicknamed “House Bill 2 Junior”), which includes a number of public school-related appropriations. The Governor signed each bill with a partial veto.

The 2005 Legislature focused its efforts on providing operational dollars “above the line” for public schools by putting as much money as possible into the Public School Funding Formula, which includes the dollars necessary for public schools to operate. By resisting the Executive’s recommendation – which included more Program Cost credits than were justified and no funding for increases in insurance and fixed costs – the Legislature was able to avoid passing along to school districts an initial deficit of approximately \$40.0 million for school year 2005-2006.

Table 1 provides a summary of public school support and related appropriations in CS/HB 2, et al., as amended. For FY 06, the Legislature appropriated more than \$2.1 billion in public school support, an increase of approximately \$132.3 million, or 6.7 percent, over the FY 05 appropriation – the greatest increase in new dollars designated for education since the 2001 legislative session. Also included in this appropriation bill is an additional \$19.2 million to fund PED and recurring education-related appropriations and \$23.8 million in special nonrecurring appropriations. Educational reform initiatives are identified with an asterisk.

The FY 06 statewide program cost of approximately \$2.0 billion represents an increase of \$124.6 million, or 6.5 percent, over the appropriation for the current school year. Among the initiatives included in the program cost were sufficient dollars to fund enrollment growth and increases for insurance and fixed costs, as well as:

- a mandated 1.25 percent salary increase for school employees other than those teachers who are receiving the \$40,000 minimum salary and the 0.75 percent increase in the employer's contribution to the Educational Retirement Fund for FY 06;
- the final year of the three-year phase-in of elementary fine arts programs in accordance with current law (funding will be based on a .05 cost differential and on a .8 FTE, meaning that children should be exposed to fine arts for 80 percent of the school day); and
- the minimum salary for levels 2 and 3-A teachers to implement the third year of the five-year phase-in of the three-tiered licensure system. In addition, language is included in CS/HB 2, et al., as amended, to ensure that every district and charter school will have sufficient dollars to provide the required minimum salary at these two levels.

To set the preliminary unit value, the Secretary of Public Education called a meeting on April 4, 2005 that included Representatives Rick Miera and Luciano "Lucky" Varela and staff from the LESC, the LFC, DFA, and the Office of the Governor. By consensus, the group agreed on an initial unit value of \$3,165.02, an increase of \$96.32, or 3.14 percent, over the FY 05 final unit value. To comply with the language in the appropriation bill, the unit value calculation excludes the \$51.8 million which PED will allocate after verifying the amount needed by each school district and charter school to pay for the minimum teacher salaries. Without this adjustment, the unit value would have increased by approximately \$179.31, or 5.8 percent. The \$51.8 million, however, will remain in the FY 07 program cost.

Table 2 summarizes additional public school-related appropriations in "House Bill 2 Junior," including approximately \$7.1 million to PED and about \$4.4 million to other state agencies, after executive action, for various programs, including an additional \$950,000 to DFA for pre-kindergarten services. Please note that all appropriations in "Junior" have been "sanded" (which means an across-the-board reduction) by 5.0 percent.

Table 3 provides a summary of direct capital outlay appropriations to PED and other agencies for public school-related projects. CS/HB 885, as amended, with emergency clause (Laws 2005, Chapter 347, partial veto), appropriates (after executive action) more than \$103.0 million for public school capital outlay needs, including \$24.9 million in nonrecurring General Fund dollars, more than \$16.1 million in Severance Tax Bonds, and \$62.0 million in Short-term Severance Tax Bonds.

Two other initiatives related to capital outlay were CS/SB 455, as amended (Laws 2005, Chapter 274) and CS/HB 510, as amended (Laws 2005, Chapter 221). CS/SB 455 addresses a number of concerns raised during the pilot year of implementation of the statewide, standards-based process for funding public school capital outlay needs. Among its provisions, this measure increases the *Public School Capital Improvements Act* (also known as “SB 9” or the “two-mill levy”) state guarantee amount from \$50 to \$60 per mill per unit beginning in FY 06 and provides \$600 per student for districts and charter schools to use toward lease payments for their facilities. CS/HB 510, requires all charter schools to eventually be in public buildings and to meet statewide adequacy standards on the same schedule as all other public schools.

The 2005 Legislature also gave a great deal of attention to restoring the Educational Retirement Fund to solvency. With a number of proposals under consideration, SB 181, as amended (Laws 2005, Chapter 273), increases the employer contribution (which is currently at 7.6 percent) by 0.75 percent each year over a seven-year period to a total of 13.9 percent and increases the employee contribution (which is currently at 7.6 percent) by 0.075 percent each year over a four-year period to a total of 7.9 percent.

Several bills signed into law this year will have a direct effect on school district operations. For example, CS/HB 337 (Laws 2005, Chapter 170), the *Pre-Kindergarten Act*, creates a voluntary pre-kindergarten pilot program for four-year-olds throughout the state. With a total appropriation of nearly \$5.0 million, this new law will allow school districts to develop and offer preschool programs. HB 139 (Laws 2005, Chapter 314) amends graduation requirements in the *Public School Code* to add one-half unit of New Mexico history and to reduce the number of elective units from eight to seven and one-half, beginning in school year 2005-2006. CS/HB 1091 (Laws 2005, Chapter 291) removes the requirement that school districts budget for capital outlay an amount of their state aid equal to 20 percent of the federal and local revenue for which the state takes credit and, beginning in school year 2006-2007, bases the calculation of program units on the average of the prior year 80th and 120th day memberships.

One LESC-endorsed bill that did not pass was HB 286, as amended, which, among other provisions, would have amended the *School Personnel Act* to implement a phase-in of minimum annual salaries for principals and assistant principals based on a responsibility factor (instead of school size) and would have delayed implementation of the minimum salaries until school year 2006-2007. Although current statute requires implementation of minimum salaries for principals beginning with school year 2005-2006, SB 662, as amended (Laws 2005, Chapter 316), includes language delaying implementation of current statutory minimum salaries for school principals until school year 2007-2008.

The following materials are included for your information:

- Table 1, *General Appropriation Act of 2005 (CS/HB 2, et al., as amended), Public School Support and Related Appropriations for FY 06;*
- Table 2, *General Appropriation Act of 2005 (CS/SB 190, as amended), Public School-Related Appropriations;*
- Table 3, *Public School Capital Outlay, 47th Legislature, 1st Session, 2005;*
- *Selected Public School-Related Language;* and
- *Passed Public School-Related Legislation, 47th Legislature, 1st Session, 2005.*

A separate listing of public school-related legislation that did not pass is available upon request from the LESC office.

xc: Governor Bill Richardson
Lieutenant Governor Diane D. Denish
Dr. Veronica C. García, Secretary of Public Education, PED
Members of the Public Education Commission
Presidents of Local School Boards
Public School District Superintendents
Other Interested Parties

TABLE 1

GENERAL APPROPRIATION ACT OF 2005 (CS/HB 2, et al., as amended)
PUBLIC SCHOOL SUPPORT AND RELATED APPROPRIATIONS FOR FY 06
(Dollars in Thousands)

	FY 05 APPROPRIATION	CS/HB 2, et al., as amended Chapter 33 (partial veto) Laws of 2005
1 PROGRAM COST	\$1,802,906.6	\$1,903,074.6
2 Adjustment for Overprojection of FY 04 Cash Balance Credit	(\$11,600.0)	
3 Adjusted Program Cost	\$1,791,306.6	
4 ENROLLMENT GROWTH	\$5,200.0	\$14,700.0
5 FIXED COSTS	\$1,900.0	\$2,100.0
6 INSURANCE COSTS	\$19,000.0	\$16,300.0
7 COMPENSATION for Public School Employees: 1.25 percent in FY 06		
8 Teachers	\$19,276.0	\$6,252.5
9 Instructional Staff	\$3,531.1	\$2,381.9
10 Other Certified and Non-certified	\$7,991.7	\$5,372.7
11 Annualize FY 04 6.0 percent raise in FY 05 for Teachers & Instructional Staff	\$25,830.5	
12 Minimum Salaries – Three-tiered Licensure Structure		
13 Levels 2 & 3 to \$35,000 in FY 05	\$8,638.7 *r	
14 Levels 2 & 3 to \$40,000 in FY 06		\$51,800.0 *r
15 Minimum Salary – Educational Assistants ¹	\$5,000.0 *r	\$1,900.0
16 Increase in Employer's ERB Contribution (.75 percent)		\$11,780.6
17 Full-day Kindergarten Phase V	\$9,600.0 *r	
18 Full-day Kindergarten – Replace TANF Funds		\$4,000.0
19 Student Assessment CRTs/School District Costs	\$1,800.0 *r	\$2,000.0
20 Elementary Fine Arts (Year 3)	\$4,000.0 *r	\$6,000.0
21 PROGRAM COST	\$1,903,074.6	\$2,027,662.3
22 Dollar Increase Over FY 05 Appropriation		\$124,587.7
23 Percentage Increase		6.5%
24 LESS PROJECTED CREDITS	(\$61,000.0)	(\$58,600.0)
25 LESS OTHER STATE FUNDS (from driver's license fees)	(\$1,700.0)	(\$1,300.0)
26 STATE EQUALIZATION GUARANTEE	\$1,840,374.6	\$1,967,762.3
27 Dollar Increase Over FY 05 Appropriation		\$127,387.7
28 Percentage Increase		6.9%
29 CATEGORICAL PUBLIC SCHOOL SUPPORT		
30 TRANSPORTATION		
31 Operational	\$84,717.8	\$87,678.7
32 School-owned Bus Replacements	\$342.6	\$176.4
33 Rental Fees (Contractor-owned Buses)	\$12,336.0	\$11,296.5
34 Compensation	\$840.4	\$501.5
35 Increase in Employer's ERB Contribution (.75 percent)		\$300.9
36 TOTAL TRANSPORTATION	\$98,236.8	\$99,954.0
37 SUPPLEMENTAL DISTRIBUTIONS		
38 Out-of-state Tuition	\$495.0	\$380.0
39 Emergency Supplemental	\$2,600.0	\$2,000.0
40 INSTRUCTIONAL MATERIAL FUND	\$26,600.0	\$30,500.0
41 EDUCATIONAL TECHNOLOGY FUND	\$5,000.0	\$5,000.0
42 INCENTIVES FOR SCHOOL IMPROVEMENT FUND	\$1,600.0 *r	\$1,600.0
43 SCHOOLS IN NEED OF IMPROVEMENT FUND	Federal Funds	Federal Funds
44 TOTAL CATEGORICAL	\$134,531.8	\$139,434.0
45 TOTAL PUBLIC SCHOOL SUPPORT	\$1,974,906.4	\$2,107,196.3
46 Dollar Increase Over FY 05 Appropriation		\$132,289.9
47 Percentage Increase		6.7%
48 RELATED APPROPRIATIONS: RECURRING		
49 Public Education Department	\$11,493.3	\$11,636.2
50 Apprenticeship Assistance	\$650.0	\$650.0
51 Beginning Teacher Mentorship	\$900.0 *r	\$900.0
52 Core Curriculum Framework	\$381.6	\$381.6
53 Family and Youth Resource Act	\$1,800.0 *r	\$1,500.0
54 GRADS – Teen Pregnancy Prevention		\$1,000.0
55 Indian Education Act of 2003	\$2,500.0 *r	\$2,500.0
56 Kindergarten Plus	\$100.0 *r	\$400.0
57 Teacher Loan for Service (to CHE)	\$386.5 *r	\$186.5
58 TOTAL RELATED APPROPRIATIONS: RECURRING	\$18,211.4	\$19,154.3
59 GRAND TOTAL	\$1,993,117.8	\$2,126,350.6
60 Dollar Increase Over FY 05 Appropriation		\$133,232.8
61 Percentage Increase		6.7%

TABLE 1

GENERAL APPROPRIATION ACT OF 2005 (CS/HB 2, et al., as amended)
PUBLIC SCHOOL SUPPORT AND RELATED APPROPRIATIONS FOR FY 06
(Dollars in Thousands)

	FY 05 APPROPRIATION	CS/HB 2, et al., as amended Chapter 33 (partial veto) Laws of 2005
62 Section 5: Special Nonrecurring Appropriations		
63 ADS upgrade to meet NCLB requirements	\$500.0 *n	
64 Adult GED Initiative	\$200.0 *n	
65 Assessment & Test Development – (for FY 05, FY 06, FY 07 & FY 08)		\$7,000.0 *I
66 Bullying Prevention	\$350.0 *n	
67 Center for NM Border Educator Leadership	\$200.0 *n	
68 Charter School Expanded Services	\$475.0 *n	
69 CHARTER SCHOOLS STIMULUS FUND – (for FY 05 & FY 06)	\$200.0	\$1,000.0
70 Dance Activity Program/In-school or Residency	\$100.0 *n	
71 Dropout Prevention Program	\$200.0 *n	
72 Education Support (1 FTE)	\$113.6 *n	
73 Educator Preparation: Three-tiered Licensure Support (includes 1 FTE)	\$47.6 *n	
74 Emergency Supplemental ² – (for FY 05 & FY 06)		\$5,000.0
75 Family School Readiness Program (Even Start)	\$200.0 *n	
76 Governor's Commission on Teaching	\$50.0 *n	
77 Indian Education (1 FTE)	\$113.6 *n	
78 Information Technology Education Reform Support (1 FTE)	\$113.6 *n	
79 Information Technology Infrastructure Upgrade and Network	\$200.0 *n	
80 INSTRUCTIONAL MATERIAL FUND	\$1,500.0	
81 Magnet Career Academy	\$200.0 *n	
82 Math and Science Standards-based Education Technology	\$200.0 *n	
83 Middle College Dropout Initiative	\$100.0 *n	
84 Pre-kindergarten Pilot Program for 4-year-olds (to DFA) – <i>contingent on passage of HB 337 or similar legislation</i> – (for FY 05, FY 06 & FY 07)		\$4,000.0
85 Prueba de Español – (for FY 05 & FY 06)		\$100.0
86 Public School Funding Formula Study (to LCS)		\$200.0 *I
87 Rural Ed. Initiatives	\$300.0 *n	
88 Rural Education (1 FTE)	\$113.6 *n	
89 Rural School Advanced Placement Acceleration Program	\$100.0 *n	
90 School District and PED Quality Assurance and District Interface (1 FTE)	\$113.6 *n	
91 SCHOOL LIBRARY MATERIAL FUND – (for FY 05 & FY 06)	\$1,000.0	\$1,000.0
92 Schools Outreach (to DFA) – (for FY 05 & FY 06)		\$250.0
93 Start-up School-based Health Clinics (to DOH) – (for FY 05 & FY 06)		\$2,000.0
94 Student ID System (maintenance) – (for FY 05 & FY 06)	\$93.0 *n	\$40.0
95 Student Assessment	\$385.5 *n	
96 Student Assessment Criterion-referenced Testing – State-level Costs	\$350.0 *n	
97 Teacher Licensing Support (includes 1 FTE)	\$140.0 *n	
98 TEACHER PROFESSIONAL DEVELOPMENT FUND ³ – (for FY 05 & FY 06)	\$2,400.0 *n	\$2,400.0
99 Three-tiered Licensure Evaluation System: Teachers ⁴ – (for FY 05 & FY 06)	\$1,000.0 *n	\$400.0 *I
100 Truancy Initiative	\$500.0 *n	
101 Uniform Public School Chart of Accounts – (for FY 05, FY 06 & FY 07)	\$1,800.0 *n	\$600.0 *I
102 Vocational High School Model	\$225.0 *n	
103 TOTAL SPECIAL NONRECURRING APPROPRIATIONS (before executive action)	\$13,584.1	\$23,990.0
104 TOTAL SPECIAL NONRECURRING APPROPRIATIONS (after executive action)	\$13,584.1	\$23,790.0
105 Section 7: Data Processing Appropriations		
106 Data Warehouse at PED (includes 4 Term FTEs) – (for FY 05, FY 06 & FY 07)		\$6,650.0 *I

TABLE 1
GENERAL APPROPRIATION ACT OF 2005 (CS/HB 2, et al., as amended)
PUBLIC SCHOOL SUPPORT AND RELATED APPROPRIATIONS FOR FY 06
(Dollars in Thousands)

	FY 05 APPROPRIATION	<i>CS/HB 2, et al., as amended</i> Chapter 33 <i>(partial veto)</i> Laws of 2005
RECURRING AND NONRECURRING REFORM INITIATIVES		
*r Public School Reform Initiatives (recurring)		
Base Recurring Reform	\$36,325.2	\$46,995.2
FY 04 dollars: \$5.2 million for \$30,000 minimum teacher salary; \$2.0 million for CRTs; and \$470,000 for National Board Certification	\$8,170.0	
Portion of 2.0% salary increase adjustment for teachers and educational assistants	\$2,500.0	
New Recurring Reform: \$40,000 minimum teacher salary		\$51,800.0
Subtotal Recurring Reform	\$46,995.2	\$98,795.2
*n Public School Reform Initiatives (nonrecurring)	\$10,884.1	\$0.0
*l Public School Reform Initiatives – Lockbox		\$14,650.0
TOTAL REFORM	\$57,879.3	\$113,445.2

NOTE: Amounts marked with asterisk are reform initiatives. An "r" designates a recurring initiative, an "n" designates a nonrecurring initiative, and an "l" designates funding from the contingency fund (Lockbox).

¹ The General Fund appropriation includes \$1.9 million to raise minimum salaries of EAs to \$12,000 effective July 1, 2005.

² Augments the emergency supplemental funds for districts experiencing budget shortfalls for the following purposes: small districts, unanticipated growth, fixed costs, fuel costs and emergency expenses.

³ For transfer to the Teacher Professional Development Fund for: Re:Learning; Regional Educational Technology Assistance; Strengthening Quality in Schools; Service Learning; Golden Apple, Closing the Achievement Gap, Leadership Academy and other professional development programs.

⁴ \$300,000 to PED to develop a licensure and evaluation system for professional instructional support providers was contingent upon enactment of HB 83, which did not pass.

TABLE 2

GENERAL APPROPRIATION ACT OF 2005 (CS/SB 190, as amended)
Public School-related Appropriations
 (For expenditure in FY 06 unless otherwise noted – contains a reversion clause)
 (Dollars in thousands)

	CS/SB 190, as amended Chapter 34 (partial veto) Laws of 2005	5% sanding
1 Public Education Department:		
2 After-school programs for at-risk students	\$60.0	\$57.0
3 Advanced Placement classes	\$200.0	\$190.0
4 Alamogordo Public Schools: library equipment and materials	\$20.0	\$19.0
5 Albuquerque Public Schools (APS), Georgia O’Keeffe, Dennis Chavez, & Hubert Humphrey Elementary; and Desert Ridge, Eisenhower, & Double Eagle Middle: professional development	\$180.0	\$171.0
6 APS, Valley and Del Norte clusters: professional development	\$150.0	\$142.5
7 APS, West Mesa High: New Mexico Youth Day	\$25.0	\$23.8
8 APS, Amy Biehl Charter High School: restorative justice program	\$50.0	\$47.5
9 Artesia Public Schools: library equipment and materials	\$20.0	\$19.0
10 Breakfast for elementary students	\$500.0	\$475.0
11 Capitan Municipal Schools: library books	\$15.0	\$14.3
12 Capitan Municipal Schools: agriculture-related extracurricular activities	\$20.0	\$19.0
13 Carlsbad Municipal Schools: library equipment and materials	\$20.0	\$19.0
14 Character Counts	\$40.0	\$38.0
15 Cloudcroft Municipal Schools: library equipment and materials	\$10.0	\$9.5
16 Computerized Learning System – (for FY 05 & FY 06)	\$1,000.0	\$950.0
17 Des Moines, Grady, House, Logan, Maxwell, Mosquero, Roy & San Jon school districts: professional development, school library, & ed technology	\$280.0	\$266.0
18 Dexter Consolidated Schools: extracurricular activities	\$36.7	\$34.9
19 Domestic violence training for school personnel	\$300.0	\$285.0
20 Española Military Academy charter school: operational expenses	\$100.0	\$95.0
21 Española Public Schools: math and science training for middle school teachers	\$100.0	\$95.0
22 Gadsden Independent Schools: Fiesta Educativa	\$6.0	\$5.7
23 Gadsden Independent Schools: statewide conference on gangs and drugs	\$6.0	\$5.7
24 Gallup-McKinley County Public Schools: train and employ college graduates as teachers	\$50.0	\$47.5
25 Geography education – (for FY 05 & FY 06)	\$250.0	\$237.5
26 Grants-Cibola County Schools: Saturday School program	\$82.0	\$77.9
27 Hagerman Municipal Schools: extracurricular activities	\$36.7	\$34.9
28 Hobbs Municipal School: salary and other expenses for laptop technician	\$50.0	\$47.5
29 Jemez Valley Public Schools: professional development	\$75.0	\$71.3
30 Lake Arthur Municipal Schools: extracurricular activities	\$36.6	\$34.8
31 Loving Municipal Schools: library equipment and materials	\$10.0	\$9.5
32 Multicultural arts and education program	\$50.0	\$47.5
33 New Mexico Government Education Fund	\$50.0	\$47.5
34 Obesity programs	\$500.0	\$475.0
35 Parental involvement training	\$47.0	\$44.7
36 Physical education classes (contingent upon HB 62 or similar legislation becoming law)	\$1,500.0	\$1,425.0
37 Pojoaque Valley Public Schools: professional development	\$50.0	\$47.5
38 Portales Municipal Schools: web-based learning project	\$50.0	\$47.5
39 Professional development activities for school personnel: 3- & 4-yr DDs and K-3 autism spectrum disorder students	\$50.0	\$47.5
40 Rio Rancho Public Schools: Virtual High School – (for FY 05 & FY 06)	\$500.0	\$475.0
41 Roswell Independent Schools: athletic event pilot, (contingent upon HB 1039 becoming law)	\$330.0	\$313.5
42 Roswell Independent Schools, Goddard High: extracurricular activities	\$20.0	\$19.0
43 Roswell Independent Schools, Roswell High: extracurricular activities	\$20.0	\$19.0
44 Ruidoso Municipal Schools, Ruidoso Middle: football and basketball equipment and travel	\$20.0	\$19.0
45 Ruidoso Municipal Schools: loan band instruments to underprivileged students	\$20.0	\$19.0
46 Ruidoso Municipal Schools: library books	\$20.0	\$19.0
47 Ruidoso Municipal Schools: summer school	\$20.0	\$19.0
48 Santa Fe Public Schools, Santa Fe & Capital HS: smaller learning communities	\$150.0	\$142.5
49 Santa Fe Public Schools: automate individualized education plan process	\$30.0	\$28.5
50 Taos Municipal Schools: Summerbridge Academy	\$35.0	\$33.3
51 Truancy prevention	\$500.0	\$475.0
52 Truchas, Ojo Sarco, and Cordova: summer enrichment youth program	\$25.0	\$23.8
53 West Las Vegas Public Schools, WLV High: bilingual ed staff position	\$75.0	\$71.3
54 Total to PED (before executive action)	\$7,791.0	\$7,401.9
55 Total to PED (after executive action)	\$7,461.0	\$7,088.4

NOTE: \$236,000 for an online school pilot project in the Cimarron Municipal Schools and \$50,000 for nutritionists statewide – contingent upon legislation that failed to pass.

TABLE 2

GENERAL APPROPRIATION ACT OF 2005 (CS/SB 190, as amended)
Public School-Related Appropriations
 (For expenditure in FY 06 unless otherwise noted – contains a reversion clause)
 (Dollars in thousands)

		CS/SB 190, as amended Chapter 34 (partial veto) Laws of 2005	5% sanding	
56	Children, Youth and Families Department:			56
57	Support for early childhood teachers and programs	\$50.0	\$47.5	57
58	Preschool program in the north valley of Albuquerque for children with early birthdays	\$30.0	\$28.5	58
59	Preschool services for developmentally disabled children in Roswell	\$50.0	\$47.5	59
60	Satellite system for professional development and early childhood training programs in rural communities	\$50.0	\$47.5	60
61	After-school programs in the south valley of Albuquerque	\$33.0	\$31.4	61
62	Commission on Higher Education:			62
63	Advanced Placement: summer student advancement institute – (for FY 05 & FY 06)	\$150.0	\$142.5	63
64	ENLACE: UNM, NMSU, and Santa Fe Community College – (for FY 05 & FY 06)	\$750.0	\$712.5	64
65	Teacher Education Program: Northern New Mexico State School – (for FY 05 & FY 06)	\$200.0	\$190.0	65
66	Cultural Affairs Department:			66
67	Youth education in the performing arts program in Santa Fe County	\$120.0	\$114.0	67
68	Performing arts program for K-12 and postsecondary students in Otero County	\$80.0	\$76.0	68
69	Youth dance program	\$200.0	\$190.0	69
70	Department of Finance and Administration:			70
71	Annual state high school basketball tournament – (for FY 05 & FY 06)	\$100.0	\$95.0	71
72	Study division of APS into two or more school districts – (for FY 05 & FY 06)	\$50.0	\$47.5	72
73	Pre-K services – (for FY 05 & FY 06)	\$1,000.0	\$950.0	73
74	Department of Finance and Administration Local Government Division:			74
75	After-school programming for the Santa Barbara-Martineztown area in Albuquerque	\$30.0	\$28.5	75
76	Teen court in Hobbs	\$20.0	\$19.0	76
77	Youth outreach program in Santa Fe	\$150.0	\$142.5	77
78	Teen court in Santa Fe	\$35.0	\$33.3	78
79	Economic Development Department:			79
80	Support for a statewide organization for workplace mentor relationships between middle/junior high school students and community business persons	\$80.0	\$76.0	80
81	New Mexico Institute of Mining and Technology:		\$0.0	81
82	Supercomputing training for middle and high school students	\$50.0	\$47.5	82
83	New Mexico State University:			83
84	A staff position for agriculture science center at Memorial Middle, Las Vegas City Public Schools	\$50.0	\$47.5	84
85	Develop partnerships to promote financial and economic literacy	\$30.0	\$28.5	85
86	Center for Border and Indigenous Educational Leadership	\$30.0	\$28.5	86
87	Improve math & science skills of economically disadvantaged pre-college students	\$30.0	\$28.5	87
88	Increase enrollment and completion in Teacher Ed Center in Grants	\$50.0	\$47.5	88
89	Northern New Mexico State School:			89
90	Baccalaureate Teacher Education Program (1 FTE)	\$110.0	\$104.5	90
91	Teacher Education Program	\$300.0	\$285.0	91
92	Train middle school teachers in math, science, and technology	\$77.0	\$73.2	92
93	Public Safety Appropriations (Department of Military Affairs):			93
94	Drug Demand Reduction Program for at-risk middle schools	\$30.0	\$28.5	94
95	Second Judicial district attorney:			95
96	Truancy program	\$30.0	\$28.5	96
97	University of New Mexico:			97
98	Implement college preparatory mentoring programs in APS	\$150.0	\$142.5	98
99	ENLACE: Los Compañeros Mentoring Program	\$100.0	\$95.0	99
100	Enhance pre-college minority students math and science skills	\$180.0	\$171.0	100
101	High school Mock Trial Program	\$22.0	\$20.9	101
102	Western New Mexico University:			102
103	Maintain the network for web-based teacher licensure	\$225.0	\$213.8	103
104	Total to Other State Agencies	\$4,642.0	\$4,410.1	104

NOTE: CS/HB 885, as amended (Laws 2005, Chapter 347, partial veto), appropriates \$150,000 to UNM to implement a college preparatory mentoring program for eighth grade students in the Albuquerque Public Schools.

TABLE 3

**PUBLIC SCHOOL CAPITAL OUTLAY
47TH LEGISLATURE, 1ST SESSION, 2005**

**All Appropriations to the Public Education Department (PED) Unless Other Agencies as Noted*
CS/HB 885, as amended, with emergency clause (Chapter 347 (partial veto), Laws 2005)**

SCHOOL DISTRICT	SCHOOL	PROJECT	AMOUNT (in thousands)	*OTHER AGENCIES	SOURCE
STATEWIDE DIRECT LEGISLATIVE APPROPRIATIONS					
statewide	Public School Capital Outlay Council	statewide roof repair & replacement initiative	\$62,000.0	PSCOC	Short-term STBs
statewide	statewide	seventh grade student laptops	\$1,000.0		GF
statewide	statewide	library books	\$1,000.0		GF
statewide	statewide	school bus inspection equipment	\$105.0		STBs
statewide	statewide	school bus inspection equipment	\$75.0		GF
statewide	statewide	school buses	\$600.0		GF
statewide	statewide	improvements to school-based clinics & Department of Health facilities for school-based health initiative	\$1,000.0	DOH	STBs
statewide	Primary Care Capital Fund	equipment for school-based health centers	\$500.0	PCCF	GF
statewide	statewide	school-based health center telehealth sites	\$1,006.0	DOH	GF
statewide	statewide	improve DOH facilities for school-based health initiatives	\$2,000.0	DOH	GF
rural statewide	rural statewide	cameras & editing equipment	\$75.0		GF
TOTAL STATEWIDE DIRECT LEGISLATIVE APPROPRIATIONS			\$69,361.0		

DIRECT LEGISLATIVE APPROPRIATIONS TO DISTRICTS

Alamogordo Public Schools	district	playground equipment & sun shades, incl ADA compliance	\$425.0		STBs
	district	playground equipment & sun shades, incl ADA compliance	\$50.0		GF
Albuquerque Public Schools	district	landfill reuse & renewable energy project on APS & State Land Office land	\$75.0	EMNRD	STBs
	district	landfill reuse & renewable energy project on APS & State Land Office land	\$43.9	EMNRD	GF
	district	books & equipment for "America Reads" program	\$50.0		STBs
	district	new high school	\$100.0		STBs
	KANW radio station	purchase & equip a van & additional equipment	\$85.0		GF
	21st Century Public Academy CS	educational technology	\$50.0		STBs
	21st Century Public Academy CS	educational technology	\$50.0		GF

Albuquerque Public Schools	21st Century Public Academy CS	classrooms	\$25.0		GF
	A. Montoya ES	educational technology	\$85.0		GF
	A. Montoya ES	kindergarten area	\$50.0		GF
	Acoma ES	educational technology	\$43.0		GF
	Adobe Acres ES	landscaping & fencing	\$20.0		GF
	Adobe Acres ES	educational technology	\$15.0		GF
	Adobe Acres ES	library books	\$5.0		GF
	Alameda ES	educational technology	\$70.0		GF
	Alameda ES	playground equipment	\$70.0		GF
	Albuquerque HS	bathroom improvements, incl ADA compliance	\$85.0		STBs
	Albuquerque HS	athletic equipment	\$20.0		GF
	Albuquerque HS	educational technology	\$100.0		GF
	Alvarado ES	educational technology	\$75.0		GF
	Alvarado ES	playground & drop-off area improvements	\$100.0		GF
	Amy Biehl Charter HS	remodel, equip, & furnish the former federal post office building	\$765.0		STBs
	Amy Biehl Charter HS	remodel, equip, & furnish the former federal post office building	\$335.0		GF
	Apache ES	educational technology	\$50.0		GF
	Armijo ES	educational technology	\$15.0		GF
	Armijo ES	library books	\$5.0		GF
	Arroyo del Oso ES	library books	\$10.0		GF
	Arroyo del Oso ES	educational technology	\$41.5		GF
	Atrisco ES	educational technology	\$15.0		GF
	Atrisco ES	library books	\$5.0		GF
	Bandelier ES	playground	\$50.0		STBs
	Bandelier ES	playground equipment	\$20.0		GF
	Bandelier ES	educational technology	\$125.0		GF
	Bandelier ES	kindergarten playground improvements	\$47.0		GF
	Barcelona ES	educational technology	\$15.0		GF
	Barcelona ES	library books	\$5.0		GF
	Bel-Air ES	educational technology	\$50.0		STBs
	Bellehaven ES	educational technology	\$100.0		STBs
	Bellehaven ES	educational technology	\$45.0		GF
	Bellehaven ES	library materials	\$5.0		GF
	Carlos Rey ES	educational technology	\$25.0		GF
	Carlos Rey ES	library books	\$5.0		GF
	Carlos Rey, Edward Gonzales, Alamosa, Mary Ann Binford ESs, Jimmy Carter & Truman MSs	educational technology	\$100.0		GF
	Chamiza ES	educational technology	\$50.0		STBs

Albuquerque Public Schools	Chamiza ES	educational technology	\$50.0		GF
	Chamiza ES	library books	\$10.0		GF
	Chaparral ES	educational technology	\$180.0		STBs
	Chaparral ES	educational technology	\$50.0		GF
	Chelwood ES	educational technology	\$66.0		STBs
	Cibola HS	baseball & softball field improvements	\$50.0		STBs
	Cibola HS	baseball & softball field improvements	\$50.0		STBs
	Cibola HS	educational technology	\$50.0		STBs
	Cibola HS	plan, design, equip concession bldg & restrooms for baseball/softball field dugouts	\$10.0		GF
	Cibola HS	plan, design, equip concession bldg for baseball/ softball field dugouts	\$50.0		GF
	Cibola HS	demolish, construct & equip tennis courts	\$91.1		GF
	Cibola HS	library books	\$10.0		GF
	Cibola HS	baseball & softball field bleachers, awning & press box	\$45.0		GF
	Cibola HS	baseball & softball field improvements	\$100.0		GF
	Cibola HS	educational technology	\$100.0		GF
	Cibola HS Cluster	health technology	\$50.0		STBs
	Cleveland MS	library improvements	\$50.0		STBs
	Cleveland MS	library improvements	\$100.0		GF
	Cleveland MS	library books	\$10.0		GF
	Cochiti ES	educational technology	\$80.0		GF
	Collet Park ES	educational technology	\$55.0		STBs
	Collet Park ES	upgrade patio areas	\$20.0		GF
	Comanche ES	library books	\$10.0		GF
	Comanche ES	educational technology	\$25.0		GF
	Comanche ES	library shelving	\$20.0		GF
	Corrales ES	computers & educational technology	\$78.0		STBs
	Corrales ES	liquid crystal display projectors & educational technology	\$27.0		GF
	Corrales ES	library books	\$10.0		GF
	Creative Education Prep #1 CS	Smart lab	\$274.0		STBs
	Creative Education Prep #1 CS	Smart lab	\$255.0		GF
	Del Norte HS	weight training equipment	\$75.0		STBs
	Del Norte HS	baseball field improvements & baseball team equipment	\$60.0		STBs
	Del Norte HS	research books	\$115.0		GF
	Del Norte HS	educational technology	\$55.0		GF
	Del Norte HS	weight training equipment	\$20.0		GF
	Del Norte HS	library books	\$10.0		GF
	Del Norte HS	baseball team equipment	\$60.0		GF

Albuquerque Public Schools	Dennis Chavez ES	playground equipment	\$50.0		STBs
	Dennis Chavez ES	educational technology	\$50.0		STBs
	Dennis Chavez ES	books	\$25.0		GF
	Dennis Chavez ES	playground equipment	\$25.0		GF
	Desert Ridge MS	educational technology	\$75.0		STBs
	Dolores Gonzales ES	educational technology	\$25.0		GF
	Double Eagle ES	educational technology	\$100.0		STBs
	Douglas MacArthur ES	reroof	\$75.0		STBs
	Douglas MacArthur ES	educational technology	\$25.0		GF
	Douglas MacArthur ES	reroof	\$25.0		GF
	Duranes ES	grass play field improvements	\$100.0		STBs
	East Mountain Charter HS	gymnasium/joint use with Vista Grande Community Center	\$1,200.0	LGD/DFA	STBs
	East Mountain Charter HS	gymnasium/joint use with Vista Grande Community Center	\$205.0	LGD/DFA	GF
	East Mountain Charter HS	furnish & equip school	\$50.0		STBs
	Edward Gonzales ES	classrooms & educational technology	\$10.0		GF
	Edward Gonzales ES	educational technology	\$146.1		GF
	Edward Gonzales ES	library books	\$5.0		GF
	EG Ross ES	educational technology	\$72.9		GF
	Eisenhower MS	library books	\$50.0		STBs
	Eisenhower MS	educational technology	\$62.0		GF
	Eisenhower MS	magazine shelf unit	\$1.8		GF
	Eldorado HS	library improvements	\$50.0		STBs
	Eldorado HS	locker room improvements	\$25.0		GF
	Eldorado HS	library improvements	\$75.0		GF
	Eldorado HS Cluster	educational technology	\$125.0		STBs
	Eldorado HS Cluster	library improvements	\$50.0		STBs
	Eldorado HS Cluster	educational technology	\$230.0		GF
	Eldorado HS Cluster	improvements for cluster libraries	\$154.2		GF
	Emerson ES	educational technology	\$25.0		GF
	Ernie Pyle MS	gymnasium sound system	\$10.0		GF
	Ernie Pyle MS	educational technology	\$20.0		GF
	Ernie Pyle MS	library books	\$5.0		GF
	Eubank ES	educational technology	\$50.0		STBs
	Eugene Field ES	playground equipment	\$20.0	LGD/DFA	GF
	Family School	purchase & construct multipurpose buildings	\$60.0		STBs
	Garfield MS	portable science laboratory	\$75.0		STBs
	Garfield MS	educational technology	\$25.0		GF
	Governor Bent ES	educational technology	\$127.0		GF
	Governor Bent ES	library books	\$10.0		GF

Albuquerque Public Schools	Grant MS	educational technology	\$200.0		GF
	Griegos ES	library shelving	\$60.0		GF
	Harrison MS	gym bleacher expansion, locker room improvements, & parking lot improvements	\$60.0		GF
	Harrison MS	educational technology	\$20.0		GF
	Harrison MS	library books	\$5.0		GF
	Hawthorne ES	educational technology	\$95.5		STBs
	Hayes MS	fields & grounds improvements	\$150.0		STBs
	Hayes MS	library books	\$25.0		GF
	Hayes MS	construct landscaping improvements	\$35.0		GF
	HH Humphrey ES	writing & publishing laboratories	\$50.0		GF
	Highland HS	improvements, incl locker rooms, fencing & shelving	\$45.0		STBs
	Highland HS	weight room improvements & equipment	\$25.0		STBs
	Highland HS	north campus walkway safety equipment	\$15.0		GF
	Highland HS	educational technology	\$125.0		GF
	Highland HS	upgrade basketball office	\$20.0		GF
	Highland HS	athletic equipment, incl video cameras	\$8.0		GF
	Highland HS	renovate, refurbish, & purchase & install lockers & bathroom fixtures & plumbing in varsity athletic locker rooms & coaches' office area	\$20.0		GF
	Highland HS	main gym area acoustics & sound system	\$8.0		GF
	Highland HS Cluster	TV & film production & broadcast equipment	\$100.0		STBs
	Hodgin ES	tile & carpet replacement & asbestos abatement	\$71.9		GF
	Hodgin ES	educational technology	\$50.0		GF
	Hoover MS	library improvements	\$55.0		GF
	Hoover MS	educational technology	\$25.0		GF
	Inez ES	cafeteria improvements	\$150.0		STBs
	Inez ES	expand & renovate school	\$50.0		STBs
	Inez ES	school expansion & renovation	\$25.0		GF
	Jackson MS	educational technology	\$97.0		STBs
	Jackson MS	educational technology	\$50.0		GF
	James Monroe MS	educational technology	\$100.0		STBs
	James Monroe MS	library books	\$10.0		GF
	James Monroe MS	educational technology	\$50.0		GF
	Jefferson MS	educational technology	\$50.0		GF
	Jimmy E. Carter MS	educational technology	\$50.0		STBs
	Jimmy E. Carter MS	educational technology	\$70.0		GF
	Jimmy E. Carter MS	library books	\$5.0		GF
	John Adams MS	educational technology	\$150.0		STBs

Albuquerque Public Schools	Kennedy MS	educational technology	\$76.0		STBs
	Kennedy MS	gymnasium upgrade	\$50.0		STBs
	Kirtland ES	bathroom improvements	\$55.0		GF
	Kit Carson ES	educational technology	\$15.0		GF
	Kit Carson ES	library books	\$5.0		GF
	Kit Carson ES	parking lot improvements	\$90.0	NMDOT	GF
	La Cueva HS	rifle range improvements, incl equipment & furnishings	\$25.0		GF
	La Cueva HS Cluster	educational technology	\$50.0		STBs
	La Cueva HS	baseball field improvements incl dugouts, bleachers, restrooms, & batting cages	\$50.0		STBs
	La Cueva HS Cluster	educational technology	\$90.0		GF
	La Luz ES	educational technology	\$85.0		GF
	La Mesa ES	library books	\$60.0		GF
	La Mesa ES	educational technology	\$62.0		GF
	La Mesa ES	equip & furnish family resource center	\$29.0		GF
	La Mesa ES	playground shade structures & safety upgrades	\$20.0		GF
	La Promesa Early Childhood CS	purchase & remodel modular buildings	\$515.0		STBs
	La Promesa Early Childhood CS	purchase & remodel modular buildings	\$330.0		GF
	Lavaland ES	playground improvements	\$54.5		STBs
	Lavaland ES	educational technology	\$54.5		STBs
	Los Padillas ES	educational technology	\$25.0		GF
	Los Padillas ES	soundproof cafeteria	\$10.0		GF
	Los Padillas ES	library books	\$5.0		GF
	Los Ranchos ES	educational technology	\$75.0		GF
	Los Ranchos ES	phone system improvements, incl lines & switches	\$50.0		GF
	Lowell ES	playground equipment	\$15.0		GF
	Lyndon B. Johnson MS	library books	\$10.0		GF
	Lyndon B. Johnson MS	educational technology	\$50.0		GF
	Madison MS	educational technology, incl dedicated electrical outlets & related technology	\$50.0		STBs
	Madison MS	educational technology, incl dedicated electrical outlets	\$25.0		GF
	Madison MS	library books	\$10.0		GF
	Manzano & Highland HS clusters	library books	\$50.0		GF
	Manzano HS	weight room improvements & equipment	\$25.0		STBs
	Manzano HS	pole vault pit, cover & standards	\$50.0		STBs
	Manzano HS	football & athletic fields improvements	\$70.0		GF
	Manzano HS Cluster	educational technology	\$250.0		STBs
	Manzano HS Cluster	playground facilities improvements	\$50.0		STBs
	Manzano HS Cluster	TV & film production & broadcast equipment	\$100.0		STBs

Albuquerque Public Schools	Manzano HS Cluster	educational technology	\$50.0		GF
	Manzano Mesa ES	educational technology	\$50.0		STBs
	Manzano Mesa ES	library books	\$100.0		GF
	Marie M. Hughes ES	educational technology	\$50.0		STBs
	Marie M. Hughes ES	educational technology	\$50.0		GF
	Mark Twain ES	playground equipment	\$50.0		GF
	Mark Twain ES	educational technology	\$80.0		GF
	Mark Twain ES	library capital improvements	\$50.0		GF
	Mary Ann Binford ES	educational technology	\$50.0		STBs
	Mary Ann Binford ES	library books	\$5.0		GF
	Math, Science & Tech Charter HS	classrooms	\$100.0		STBs
	Matheson Park ES	educational technology	\$30.0		GF
	Matheson Park ES	resurface basketball courts	\$40.0		GF
	Matheson Park ES	library books	\$30.0		GF
	McCollum ES	educational technology	\$55.0		STBs
	McCollum ES	telephone & security system upgrade	\$70.0		STBs
	McKinley MS	educational technology	\$120.0		GF
	Mission Avenue ES	landscaping improvements, physical fitness course & amphitheater addition	\$100.0		GF
	Mitchell ES	educational technology	\$25.0		GF
	Mitchell ES	landscaping improvements	\$25.0		GF
	Monte Vista ES	educational technology	\$50.0		GF
	Montessori/Rio Grande CS	educational technology	\$20.0		GF
	Montessori/Rio Grande CS	common areas	\$44.0		GF
	Montezuma ES	educational technology	\$50.0		GF
	Mountain View ES	playground construction & equipment	\$35.0		GF
	Navajo ES	educational technology	\$15.0		GF
	Navajo ES	library books	\$5.0		GF
	Old Lincoln MS	restore painted murals	\$25.0		GF
	Oñate ES	educational technology	\$32.0		GF
	Osuna ES	educational technology	\$75.0		STBs
	Osuna ES	educational technology	\$99.0		GF
	Osuna ES	kindergarten bldg improvements	\$71.0		GF
	Osuna ES	library books	\$10.0		GF
	Pajarito ES	educational technology	\$15.0		GF
	Pajarito ES	library books	\$5.0		GF
	Petroglyph ES	educational technology	\$100.0		STBs
	Petroglyph ES	playground equipment	\$50.0		STBs
	Petroglyph ES	library books	\$10.0		GF

Albuquerque Public Schools	Petroglyph ES	educational technology	\$50.0		GF
	Petroglyph ES	playground equipment	\$50.0		GF
	Polk MS	gym & skate area renovations & construction	\$25.0		GF
	Polk MS	educational technology	\$20.0		GF
	Polk MS	library books	\$5.0		GF
	Reginald Chavez ES	educational technology	\$50.0		STBs
	Reginald Chavez ES	library books	\$25.0		GF
	RFK MS	modular classroom buildings	\$50.0		STBs
	Rio Grande HS	phone system equipment	\$25.0		GF
	Rio Grande HS	educational technology	\$50.0		GF
	Rio Grande HS	library books	\$5.0		GF
	Roosevelt MS	educational technology	\$80.0		GF
	Roosevelt MS	playground & athletic facility improvements	\$20.0		GF
	San Antonito ES	upgrades to playground	\$120.0		GF
	Sandia Base ES	educational technology	\$43.5		GF
	Sandia Base ES	playground improvements & equipment	\$50.0		GF
	Sandia HS	baseball field improvements incl artificial turf & scoreboard	\$335.0		STBs
	Sandia HS	baseball field improvements, incl artificial turf & scoreboard	\$70.0		GF
	Sandia HS	library books	\$10.0		GF
	Sandia HS	educational technology	\$30.0		GF
	Seven Bar ES	educational technology	\$50.0		STBs
	Sierra Vista ES	educational technology	\$50.0		STBs
	Sierra Vista ES	educational technology	\$50.0		GF
	Sombra del Monte ES	library books & portable stage	\$50.0		STBs
	Sombra del Monte ES	educational technology & related infrastrucure & furnishings	\$50.0		STBs
	Sombra del Monte ES	general improvements	\$30.0		GF
	South Valley Academy CS	Science facility	\$145.0		STBs
	Susie R. Marmon ES	equipment	\$150.0		STBs
	Susie R. Marmon ES	library books	\$25.0		GF
	SW Secondary Learning Ctr CS	fitness equipment	\$85.0		GF
	SW Secondary Learning Ctr CS	Smart lab	\$212.0		STBs
	SW Secondary Learning Ctr CS	modular science laboratory	\$100.0		STBs
	SW Secondary Learning Ctr CS	PE & classroom safety dividers	\$75.0		STBs
	SW Secondary Learning Ctr CS	playground equipment	\$50.0		GF
	SW Secondary Learning Ctr CS	plan, design, construct, equip & furnish a Smart lab	\$64.0		GF
	SW Secondary Learning Ctr CS	classroom & computer lab furnishings for ADA compliance	\$33.0		GF
	SW Secondary Learning Ctr CS	safety signage & gym seating	\$40.0		GF
	SW Secondary Learning Ctr CS	ADA compliant safety signage & gym equipment	\$10.0		GF

Albuquerque Public Schools	Taft MS	multipurpose field, incl track & drainage pond/joint use with village of Los Ranchos de Albuquerque	\$450.0	LGD/DFA	STBs
	Taft MS	multipurpose athletic field	\$100.0		STBs
	Taft MS	educational technology	\$120.0		GF
	Taft MS	multipurpose field	\$55.0		GF
	Tomasita ES	educational technology	\$50.0		STBs
	Tomasita ES	parking lot & pickup & drop-off areas	\$90.0		STBs
	Truman MS	educational technology	\$20.0		GF
	Truman MS	library books	\$5.0		GF
	Valley HS	athletic equipment	\$95.0		GF
	Valley HS	safety equipment	\$95.9		GF
	Van Buren MS	video editing equipment	\$63.0		STBs
	Van Buren MS	mobile computer labs	\$40.0		GF
	Van Buren MS	science equipment	\$10.0		GF
	Van Buren MS	surveillance equipment	\$12.5		GF
	Ventura Ranch ES	educational technology	\$100.0		STBs
	Ventura Ranch ES	educational technology	\$50.0		GF
	West Mesa HS	educational technology	\$160.0		STBs
	West Mesa HS	track improvements & drainage	\$100.0		STBs
	West Mesa HS	girls' softball field	\$50.0		STBs
	West Mesa HS	construct improvements to the track	\$170.0		GF
	West Mesa HS	drainage system improvements	\$50.0		GF
	West Mesa HS	girls' softball field	\$50.0		GF
	West Mesa HS	educational technology	\$50.0		GF
	West Mesa HS	auditorium lighting system upgrades	\$50.0		GF
	West Mesa HS	library books	\$5.0		GF
	Wherry ES	educational technology	\$30.0		GF
	Whittier ES	grounds improvements	\$20.0		GF
	Whittier ES	library books	\$10.0		GF
	Wilson MS	educational technology	\$75.0		GF
	Zia ES	educational technology	\$70.0		GF
	Zuni ES	asbestos abatement & replace tile & carpet	\$62.9		STBs
	Zuni ES	library books	\$10.0		GF
	Zuni ES	tile & carpet replacement & asbestos abatement	\$50.0		GF
Aztec Municipal Schools	district	renovate sports complex	\$165.0		GF
	Aztec HS	upgrade electrical service, incl transformers	\$65.0		STBs
Belen Consolidated Schools	Adelino Head Start Center	improvements, incl plumbing, heating & cooling, electrical, fire alarm system, stucco & roof replacement	\$100.0		STBs
	Belen HS	football field bleachers & press box improvements	\$100.0		STBs

Belen Consolidated Schools	Belen HS	north side athletic complex dressing rooms, bathrooms & concession facility	\$250.0		GF
	Belen HS	wrestling mat & wrestling room improvements	\$40.0		GF
	La Promesa ES	wetlands project	\$25.0		GF
Bloomfield Schools	Bloomfield HS	renovate swimming pool, construct family aquatic center & outdoor facilities/joint use	\$340.0	LGD/DFA	GF
Capitan Municipal Schools	district	equip & furnish ball fields & recreation facilities	\$100.0		STBs
Capitan Municipal Schools	district	construct, equip & furnish ball fields & recreation facilities	\$200.0		GF
	district	athletic equipment	\$25.0		GF
	district	five-year facilities master plan development	\$20.0		GF
	Capitan HS	baseball & golf equipment	\$25.0		GF
	Capitan MS & HS	agricultural education program improvements	\$10.0		GF
Carlsbad Municipal Schools	district	stadium improvements incl ADA requirements	\$50.0		STBs
	district	stadium improvements incl ADA compliance	\$30.0		GF
	district	playground improvements incl ADA requirements	\$25.0		STBs
	district	playground improvements incl ADA compliance	\$130.0		GF
	district	security system	\$90.0		GF
Carrizozo Municipal Schools	Carrizozo HS	football equipment	\$25.0		GF
	district	football field sprinkler system	\$75.0		GF
Central Consolidated Schools	Kirtland ES	educational technology	\$70.0		GF
Chama Valley Independent Schls	Escalante HS	improvements, asbestos abatement; construct facilities	\$100.0		STBs
Cimarron Municipal Schools	Charter School in Angel Fire	new school	\$250.0		GF
	Moreno Valley HS	multipurpose facility	\$40.0		GF
Cloudcroft Municipal Schools	district	athletic facilities project	\$100.0		STBs
	district	athletic facilities project	\$50.0		GF
Dexter Consolidated Schools	district	construct & landscape playground activity center	\$50.0		GF
	district	educational technology	\$20.0		GF
	district	educational technology	\$20.0		GF
	district	playground equipment	\$75.0		GF
Elida Municipal Schools	district	multipurpose facility	\$50.0		GF
	district	activity vehicle	\$30.0		GF
	district	cafeteria equipment	\$65.0		GF
	Española Military Academy CS	educational technology	\$50.0		STBs
	Española Military Academy CS	educational technology	\$80.0		GF
	Española Military Academy CS	improvements	\$75.0		GF
Española Public Schools	Española Valley HS	weight room improvements	\$25.0		GF
	Sombrillo ES	construct, equip & furnish	\$125.0		STBs
	Tony E. Quintana Sombrillo ES	improvements, incl water & wastewater improvements	\$95.0		GF

Eunice Public Schools	Caton MS	cafeteria improvements & equipment	\$50.0		GF
Gadsden Independent Schools	district	border performing arts & conference center	\$150.0		GF
	high schools	weight room facilities	\$375.0		STBs
	high schools	install & equip weight rooms	\$145.0		GF
	Anthony ES	plan, design, construct, and equip exercise track	\$50.0		STBs
	Anthony ES	exercise track & basic walking track	\$25.0		GF
Gadsden Independent Schools	Chaparral MS	grounds improvements	\$50.0		GF
	Desert Trail ES	grounds improvements	\$50.0		GF
	Mesquite ES	environmental park improvements	\$45.0	LGD/DFA	GF
Grants-Cibola County Schools	Head Start building	renovate interior & exterior	\$70.0		GF
Hagerman Municipal Schools	district	reroof gymnasium	\$30.0		STBs
	district	equipment for basketball programs, incl basketball goals, bleachers & scoreboard	\$20.0		GF
	district	football lockers for the field house	\$25.0		GF
	district	tennis courts	\$25.0		GF
Hobbs Municipal Schools	district	public school sports facility	\$300.0	LGD/DFA	GF
	district	joint-use, multipurpose facility	\$150.0		GF
	Hobbs HS	ADA compliant renovations	\$275.0		GF
Hondo Valley Public Schools	district	activity bus	\$50.0		STBs
	district	activity bus	\$75.0		GF
Jal Public Schools	district	roof improvements	\$75.0		GF
Jemez Mt. Public Schools	district	multipurpose athletic field	\$100.0		STBs
Lake Arthur Municipal Schools	district	construct playfield, incl lighting, bleachers & track & convert existing playfield for elementary use	\$100.0		STBs
	district	educational technology for graphics, multimedia & music production	\$50.0		GF
Las Cruces Public Schools	Sunrise ES	educational technology & library equipment	\$50.0		STBs
	Sunrise ES	educational technology & other library equipment	\$24.6		GF
	Valley View ES	educational technology	\$21.5		GF
Las Vegas City Public Schools	district	purchase bus & a vehicle	\$100.0		STBs
	district	mariachi equipment	\$10.0		GF
	district	mower & all-terrain vehicle	\$25.0		GF
Las Vegas City Public Schools	district	activity bus	\$90.0		GF
	Bridge Academy Charter HS	educational technology & equipment	\$12.0		GF
	Mike "Mateo" Sena ES	generator	\$20.0		GF
Lordsburg Municipal Schools	district	learning center	\$250.0	LGD/DFA	GF
Los Lunas Public Schools	Los Lunas HS	weight & training room improvements	\$100.0		STBs
	Los Lunas HS	construct & equip weight room & field house	\$105.0		GF
	Los Lunas HS	wrestling mat & wrestling room improvements	\$40.0		GF

Los Lunas Public Schools	Los Lunas HS	track renovation	\$150.0		GF
Loving Municipal Schools	district	new HVAC	\$50.0		STBs
	Loving HS	new roof	\$50.0		STBs
	Loving HS	new HVAC	\$50.0		GF
Lovington Municipal Schools	district administration building	new roof	\$75.0		GF
	Lovington HS	stadium lighting system	\$65.0		GF
	Yarbro, Llano, Jefferson, Lea & Ben Alexander ESs & Lovington JHS	playground improvements	\$175.0		GF
Maxwell Municipal Schools	district	school bus	\$45.0		GF
	youth entrepreneurial & teen center	improvements	\$80.0		GF
Melrose Public Schools	district	new bleachers with ADA compliance	\$90.0		GF
Mesa Vista Cons Schools	El Rito library	renovations, incl ADA compliance, lighting fixtures & doors	\$35.0		GF
Mora Independent Schools	district	septic & water drainage system improvements	\$50.0		STBs
Moriarty Municipal Schools	district	football stadium bleachers	\$80.0		GF
Pecos Independent Schools	district	dump truck w/ salt spreader	\$10.0		GF
Peñasco Independent Schools	district	walking field & track	\$100.0		STBs
	district	improvements for ADA compliance	\$5.0		GF
	district	walking field & track	\$100.0		GF
Pojoaque Valley Public Schools	district	Little League baseball & softball equipment	\$5.0		GF
	district	water & wastewater system	\$100.0		STBs
Portales Municipal Schools	district	repair & replace windows & renovate entryways	\$50.0		GF
	Portales HS	improvements	\$100.0		STBs
	Portales HS	construct improvements	\$69.1		GF
Quemado Independent Schools	district	purchase vehicle	\$40.0		GF
Raton Public Schools	district	security system improvements	\$30.0		GF
Rio Rancho Public Schools	district	purchase up to 200 acres of state trust land from State Land Commissioner or any other appropriate lands from Sandoval County	\$820.0	LGD/DFA	STBs
	district	acquire land for education park & new high school	\$475.0		STBs
	district	acquire land for education park & new high school	\$700.0		GF
	district	plan & design a high school	\$50.0		STBs
	Martin Luther King, Jr. ES	educational technology	\$50.0		STBs
	Martin Luther King, Jr. ES	educational technology	\$50.0		GF
	Puesta del Sol ES	educational technology	\$50.0		STBs
	Puesta del Sol ES	educational technology	\$50.0		GF
	Rio Rancho HS	baseball field landscaping & drainage improvements; batting cages & storage facilities	\$81.0		GF
Roswell Independent Schools	Berrendo ES	educational technology	\$25.0		STBs
	Berrendo ES	educational technology	\$50.0		GF

Roswell Independent Schools	Berrendo MS	football field sprinkler system	\$50.0		STBs
	Berrendo MS	educational technology	\$50.0		STBs
	Berrendo MS	sprinkler system	\$50.0		GF
	Berrendo MS	educational technology	\$25.0		GF
	Del Norte ES	educational technology	\$25.0		STBs
	Del Norte ES	educational technology	\$25.0		GF
	Del Norte ES	walking track	\$35.0		GF
	Goddard HS	baseball field improvements	\$50.0		STBs
	Goddard HS	home economics facility	\$25.0		STBs
	Goddard HS	football equipment	\$85.0		STBs
	Goddard HS	baseball field improvements	\$60.0		GF
	Goddard HS	baseball equipment	\$25.0		GF
Roswell Independent Schools	Goddard HS	football equipment & technology	\$50.0		GF
	Goddard HS	wrestling facility improvements	\$25.0		GF
	Goddard HS	field house parking lot	\$50.0	NMDOT	GF
	Goddard HS	FFA vehicles	\$25.0		STBs
	Mesa MS	educational technology	\$30.0		GF
	Military Heights ES	educational technology	\$50.0		GF
	Roswell HS	athletic facilities improvements, incl lighting, bleachers, dugouts, restrooms & fields	\$25.0		GF
	Sierra MS	educational technology	\$50.0		GF
	Sunset ES	playground equipment	\$50.0		GF
	Sidney Gutierrez Middle CS	improvements, incl asbestos abatement	\$75.0		STBs
Ruidoso Municipal Schools	Ruidoso HS	track improvements	\$30.0		GF
Santa Fe Public Schools & County	Agua Fria preschool	playground equipment	\$20.0	LGD/DFA	GF
	Acequia Madre ES	performing arts theater improvements, incl equipment & materials	\$10.0		GF
	Eldorado area	soccer field, joint use w/ county & school district	\$50.0	LGD/DFA	STBs
	Eldorado area	soccer field, joint use w/ county & school district	\$25.0	LGD/DFA	GF
	Santa Fe HS	grand national tournament materials & equipment	\$25.0		GF
	Wood Gormley ES	youth soccer playing field	\$70.0		GF
	Wood Gormley ES	turf improvements	\$20.0		GF
Santa Rosa Cons Schools	district	activity bus	\$90.0		GF
Silver Consolidated Schools	G.W. Stout ES	playground improvements	\$80.0		GF
Springer Municipal Schools	district	activity bus	\$45.0		GF
Tatum Municipal Schools	district	educational technology	\$65.0		STBs
Texico Municipal Schools	district	baseball field	\$50.0		STBs
	district	tractor	\$60.0		GF
	district	baseball field	\$25.0		GF
Tularosa Municipal Schools	district	improvements, incl new field turf	\$200.0		GF

Wagon Mound Public Schools	district	activity bus	\$40.0		GF
	district	activity bus	\$90.0		STBs
West Las Vegas Public Schools	Donaldo Martinez admin building	improve & equip building	\$100.0		STBs
	administration building	improve & equip building	\$90.0		GF
	district	purchase vehicles	\$110.0		STBs
	district	bilingual program equipment	\$20.0		GF
	district	educational technology	\$29.9		GF
	district	safety equipment & seatbelts for Head Start buses	\$15.0		GF
	district	gymnasium	\$250.0		GF
West Las Vegas Public Schools	Rio Gallinas Charter	install safety fencing, purchase furniture & equipment	\$20.0		GF
	Valley MS	football field equipment	\$10.0		GF
West Las Vegas & Las Vegas City Public Schools	district	educational technology	\$45.0		GF
TOTAL DIRECT LEGISLATIVE APPROPRIATIONS TO DISTRICTS			\$33,832.8		
TOTAL DIRECT LEGISLATIVE APPROPRIATIONS TO DISTRICTS (After Executive Action)			\$33,647.8		
TOTAL STATEWIDE DIRECT LEGISLATIVE APPROPRIATIONS			\$69,361.0		
GRAND TOTAL			\$103,193.8		
GRAND TOTAL (after Executive action)			\$103,008.8		

TOTALS BY SOURCE	
SOURCE	AMOUNT
SEVERANCE TAX BONDS (STBs)	\$16,173.4
SEVERANCE TAX BONDS (after Executive action)	\$16,123.4
SHORT-TERM SEVERANCE TAX BONDS	\$62,000.0
GENERAL FUND APPROPRIATIONS (GF)	\$25,020.4
GENERAL FUND APPROPRIATIONS (after Executive action)	\$24,885.4
GRAND TOTAL	\$103,193.8
GRAND TOTAL (after Executive action)	\$103,008.8

KEY TO ABBREVIATIONS

-
- CPF Capital Projects Fund
 - DOH Department of Health
 - EMNRD Energy, Minerals & Natural Resources Department
 - GF General Fund
 - LGD/DFA Local Government Division/Department of Finance & Administration
 - NMDOT State Department of Transportation
 - PSCOC Public School Capital Outlay Council
 - PCCF Primary Care Capital Fund
 - STBs Severance Tax Bonds

TABLE 3
PUBLIC SCHOOL CAPITAL OUTLAY
47TH LEGISLATURE, 1ST SESSION, 2005
All Appropriations to the Public Education Department (PED) Unless Other Agencies as Noted*
CS/HB 885, as amended, with emergency clause (Chapter 347 (partial veto), Laws 2005)

REAUTHORIZATIONS

SCHOOL DISTRICT	SCHOOL	PROJECT	AMOUNT (in thousands)	ORIG. SOURCE
Alamogordo Public Schools	from Holloman Intermediate & MS to Holloman Primary & MS	Change in purpose for unexpended balance: Subsections 30 & 32, Section 14, Chapter 126, Laws 2004. – from resurfacing the basketball court at the intermediate school & resurfacing the parking lot & drop-off area at the middle school to parking lot improvements at the primary & middle school.	\$184.0	STBs
Alamogordo Public Schools	Alamogordo HS	Change in purpose for unexpended balance: Subsection 30, Section 14, Chapter 126, Laws 2004; – from bleachers to public address system.	\$205.0	STBs
Albuquerque Public Schools	Amy Biehl Charter HS	Change in purpose & agency for unexpended balance: Subsection 428, Section 22, Chapter 429, Laws 2003. – reauthorized from LGD/DFA for adult mental health building to PED for Amy Biehl Charter HS.	\$50.0	STBs
Albuquerque Public Schools	from Cibola HS to district	Change in purpose for unexpended balance: Subsection 214, Section 23, Chapter 110, Laws 2002. – from swimming pool at Cibola HS to plan, design & construct tennis court in the school district.	\$100.0	STBs
Albuquerque Public Schools	Cibola HS [sic] (should be West Mesa HS)	Change in purpose & extend expenditure through FY 06: Subsection 64, Section 118, Chapter 126, Laws 2004. – from purchase bus for athletic teams to purchase athletic equipment.	\$40.0	STBs
Albuquerque Public Schools	East Mountain Charter HS	Change in purpose for unexpended balance: Subsection 21, Section 118, Chapter 126, Laws 2004. – from bus purchase to purchase, renovate, furnish & equip portable buildings.	\$20.0	STBs

Albuquerque Public Schools	East Mountain Charter HS	Change in purpose for unexpended balance: Subsection 260, Section 23, Chapter 110, Laws 2002 – from improvements to purchase & upgrade educational technology.	\$30.0	STBs
Albuquerque Public Schools	East Mountain Charter HS	Change in purpose for unexpended balance: Subsection 8, Section 23, Chapter 429, Laws 2003 & reauthorized in Section 99, Chapter 126, Laws 2004. – from purchase bus to purchase & upgrade educational technology & related equipment & furnishings.	\$40.0	STBs
Albuquerque Public Schools	East Mountain Charter HS	Change in purpose for unexpended balance: Subsection 201, Section 23, Chapter 110, Laws 2002 & reauthorized in Section 208, Chapter 429, Laws 2003 – from purchase & install air conditioning to purchase & install educational technology.	\$40.0	STBs
Albuquerque Public Schools	Highland HS	Extend expenditure through FY 10: Subsection O, Section 16, Chapter 23, Laws 2000. – Highland HS improvements.	\$50.0	STBs
Albuquerque Public Schools	Manzano HS	Change in purpose for unexpended balance: Subsection 197, Section 23, Chapter 110, Laws 2002 – from upgrade wood shops & educational technology to upgrade ball fields.	\$50.0	STBs
Archdiocese of Santa Fe	Holy Ghost School, Albuquerque	Change in purpose & agency for unexpended balance: Subsection 295, Section 23, Chapter 110, Laws 2002 & reauthorized to LGD/DFA in Section 173, Chapter 126, Laws 2004. – from LGD/DFA to PED for educational technology at Holy Ghost School, Albuquerque.	\$10.0	STBs
Archdiocese of Santa Fe	Our Lady's Assumption School, Albuquerque	Change in purpose & agency for unexpended balance: Subsection 294, Section 23, Chapter 110, Laws 2002 & reauthorized to LGD/DFA in Section 172, Chapter 126, Laws 2004. – from LGD/DFA for Santa Fe recreational fields to PED for educational technology at Our Lady's Assumption School, Albuquerque.	\$10.0	STBs
Aztec Municipal Schools	district	Expansion of purpose: Subsection 90, Section 136, Chapter 126, Laws 2004. – renovations to the school district sports complex may include construction.	\$100.0	CPF

Capitan Municipal Schools	district	Change in purpose & agency for unexpended balance: Subsection 379 (\$40.0), Section 22 & Subsection 73 (\$21.4), Section 37, Chapter 429, Laws 2003 – from LGD/DFA for Capitan public library to PED to plan, design and construct community athletic fields and a complex.	\$61.4	STBs & CPF
Capitan Municipal Schools	district	Change in purpose & agency for unexpended balance & expansion of purpose: Subsection 1, Section 117, Chapter 126, Laws 2004 – from LGD/DFA to design & build a community baseball and softball complex in Capitan to PED for the same purpose.	\$50.0	STBs
Capitan Municipal Schools	district	Change in purpose & agency for unexpended balance & expansion of purpose: Subsection 3, Section 134, Chapter 126, Laws 2004 – from LGD/DFA to design & build a community baseball and softball complex to PED for the same purpose.	\$50.0	CPF
Capitan Municipal Schools	from town library construction to school district	Change in purpose & agency for unexpended balance: Subsection 235, Section 22, Chapter 429, Laws 2003. – Reauthorized from LGD/DFA for Capitan public library to PED to improve district athletic fields.	\$15.0	STBs
Carlsbad Municipal Schools	Carlsbad HS	Extend expenditure through FY 06: Subsection 147, Section 23, Chapter 110, Laws 2002. – equip culinary arts program.	\$15.0	STBs
Carlsbad Municipal Schools	Carlsbad HS	Extend expenditure through FY 06: Subsection 154, Section 23, Chapter 110, Laws 2002. – equip culinary arts program.	\$15.0	STBs
Carlsbad Municipal Schools	Carlsbad HS	Extend expenditure through FY 06: Subsection 353, Section 23, Chapter 110, Laws 2002. – equip culinary arts program.	\$50.0	STBs
Cloudcroft Municipal Schools	from Cloudcroft Elementary & Middle schools to Cloudcroft HS	Change in purpose for unexpended balance: Subsection 33, Section 14, Chapter 126, Laws 2004. – from elementary & middle school roof replacement to high school athletic fields improvements.	\$100.0	STBs
Clovis Municipal Schools	from old administration bldg to Bella Vista ES	Change in purpose for unexpended balance: Subsection 136, Section 23, Chapter 110, Laws 2002; – from renovate old admin bldg to renovate Bella Vista ES.	\$15.8	STBs

Española Public Schools	Hernandez ES	Extend expenditure through FY 10: Subsection EEEE, Section 16, Chapter 23, Laws 2000 (2nd S.S.). – additional classrooms.	\$21.6	STBs
Gadsden Independent Schools	Gadsden HS	Extend expenditure through FY 06: Subsection 150, Section 118, Chapter 126, Laws 2004. – music department equipment & portable building.	\$88.0	STBs
Las Cruces Public Schools	Mesilla Park ES	Extend expenditure through FY 10: Subsection 142, Section 23, Chapter 110, Laws 2002. – playground improvements & equipment.	\$30.0	STBs
Maxwell Municipal Schools	district	Extend expenditure through FY 06: Subsection 153, Section 37, Chapter 126, Laws 2004. – purchase bus.	\$50.0	CPF
Pecos Independent Schools	from Pecos ES to district	Change in purpose for unexpended balance: Subsection 76, Section 136, Chapter 126, Laws 2004 – from baseball field at Pecos ES to improvements to the existing Little League baseball and softball fields in the school district.	\$5.0	CPF
Peñasco Independent Schools	district multipurpose bldg	Expand purpose: Subsection 184, Section 23, Chapter 110, Laws 2002. – include renovations to bldg interior.	\$25.0	STBs
Pojoaque Valley Public Schools	Nambe Head Start campus	Clarify & expand purpose: Subsection 220, Section 23, Chapter 429, Laws 2003. – purchase land for, make improvements to & plan, design, construct & equip tennis & basketball courts & a walking track for Nambe Head Start campus.	\$10.0	STBs
Pojoaque Valley Public Schools	Nambe Head Start campus	Clarify & expand purpose: Subsections 12 & 28, Section 38, Chapter 429, Laws 2003. – purchase land for, make improvements to & plan, design, construct & equip tennis & basketball courts & a walking track for Nambe Head Start campus.	\$100.0	CPF
Santa Rosa Consolidated Schools	district	Extend expenditure through FY 06 & change in purpose for unexpended balance: Subsection ZZZZZ, Section 16, Chapter 23, Laws 2000 (2nd S.S.) – from high school metal & wood shop equipment to purchase & install educational technology & library shelving districtwide.	\$20.0	STBs
Springer Municipal Schools	district	Extend expenditure through FY 06: Subsection 336, Section 23, Chapter 110, Laws 2002. activity bus purchase.	\$10.0	STBs

TABLE 3

**PUBLIC SCHOOL CAPITAL OUTLAY
47TH LEGISLATURE, 1ST SESSION, 2005**

LANGUAGE IN

CS/HB 885, as amended, with emergency clause (Chapter 347 (partial veto), Laws 2005)

Short-term Supplemental Severance Tax Bonds--Public School Capital Outlay" ...in fiscal year 2005, the state board of finance may issue and sell severance tax bonds with a term that does not extend beyond the fiscal year in which they are issued in an amount not exceeding sixty-two million dollars (\$62,000,000) when the public school capital outlay council certifies by resolution the need for the issuance of the bonds. The proceeds from the sale of the bonds are appropriated to the public school capital outlay fund for the purpose of making awards of grant assistance for correcting deficiencies in the roofs of public school facilities and for a roof repair and replacement initiative pursuant to the Public School Capital Outlay Act; provided that no severance tax bonds shall be issued pursuant to this section:

- A. until all other severance tax bonds and supplemental severance tax bonds to be issued in fiscal year 2005 have been issued; and
- B. unless the balance in the severance tax bonding fund as of the date that the bonds are issued is greater than the sum of:
 - 1. the debt service on the supplemental severance tax bonds to be issued pursuant to this section;
 - 2. the debt service scheduled to be paid during the remainder of the fiscal year on all outstanding severance tax bonds and supplemental severance tax bonds; and
 - 3. the amount necessary to meet all principal and interest payments on outstanding bonds payable from the severance tax bonding fund on the next two ensuing semiannual payment dates" (Language in CS/HB 885, as amended, with emergency clause).

TABLE 3

PUBLIC SCHOOL CAPITAL OUTLAY 47TH LEGISLATURE, 1ST SESSION, 2005

REVERSION CLAUSE

CS/HB 885, as amended, with emergency clause (Chapter 347 (partial veto), Laws 2005)

Severance tax bonds:

"If an agency has not certified the need for the issuance of bonds for a particular project, including projects that have been reauthorized, by the end of fiscal year 2007, the authorization for that project is void.

"Before an agency may certify for the issuance of severance tax bonds, the project must be developed sufficiently so that the agency reasonably expects to:

1. incur within six months after the applicable bonds have been issued a substantial binding obligation to a third party to expend at least five percent of the bond proceeds for the project; and
2. spend at least eighty five percent of the bond proceeds within three years after the applicable bonds have been issued.

"Except as otherwise provided in this section or another section of this act, the unexpended balance from the proceeds of severance tax bonds issued for a project, including projects that have been reauthorized, shall revert to the severance tax bonding fund as follows:

1. for projects for which severance tax bonds were issued to match federal grants, six months after completion of the project;
2. for projects for which severance tax bonds were issued to purchase vehicles, heavy equipment, educational technology or other equipment or furniture that is not related to a more inclusive construction or renovation project, at the end of the fiscal year following the fiscal year in which the severance tax bonds were issued for the purchase;
3. for projects for which severance tax bonds were issued to purchase emergency vehicles or other vehicles that require special equipment, at the end of the fiscal year two years following the fiscal year in which the severance tax bonds were issued for the purchase; and
4. for all other projects for which severance tax bonds were issued, within six months of completion of the project, but no later than the end of fiscal year 2010.

"Except for appropriations to the capital program fund, money from severance tax bond proceeds provided pursuant to this act shall not be used to pay indirect project costs. "...[Unexpended balance]' means the remainder of an appropriation after reserving for unpaid costs and expenses covered by binding written obligations to third parties" (Language in CS/HB 885, as amended, with emergency clause).

**TABLE 3
PUBLIC SCHOOL CAPITAL OUTLAY
47TH LEGISLATURE, 1ST SESSION, 2005**

REVERSION CLAUSE

CS/HB 885, as amended, with emergency clause (Chapter 347 (partial veto), Laws 2005)

General fund and other fund reversions:

"Except as otherwise provided in this section or another section of this act, the unexpended balance of an appropriation made in this act from the general fund or other state fund, including changes to prior appropriations, shall revert to the originating fund as follows:

1. for projects for which appropriations were made to match federal grants, six months after completion of the project;
2. for projects for which appropriations were made to purchase vehicles, heavy equipment, educational technology or equipment or furniture that is not related to a more inclusive construction or renovation projects, at the end of the fiscal year following the fiscal year in which the appropriation was made for the purchase;
3. for projects for which appropriations were made to purchase emergency vehicles or other vehicles that require special equipment, at the end of the fiscal year two years following the fiscal year in which the severance tax bonds were issued [sic] for the purchase; and
4. for all other projects for which appropriations were made, within six months of completion of the projects, but not later than the end of fiscal year 2010.

"Except for appropriations to the capital program fund, money from appropriation made in this act shall not be used to pay indirect project costs. "...[Unexpended balance]' means the remainder of an appropriation after reserving for unpaid costs and expense written obligations to third parties" (Language in CS/HB 885, as amended, with emergency clause).

SELECTED PUBLIC SCHOOL-RELATED LANGUAGE
GENERAL APPROPRIATION ACT OF 2005
CS/H 2 et al., as amended (Chapter 33 (partial veto), Laws 2005)

OTHER EDUCATION (Section 4, I)

The general fund appropriation [\$381,600] to the public education department for the core curriculum framework includes one hundred thirty-one thousand six hundred dollars (\$131,600) for teacher professional development on teaching advanced placement and pre-advanced placement courses through a joint powers agreement with New Mexico highlands university.

The general fund appropriation to the public education department for the Family and Youth Resource Act shall fund family and youth services pursuant to the Family and Youth Resource Act.

The general fund appropriation to the public education department for teacher loan for service shall be transferred to the commission on higher education.

PUBLIC SCHOOL SUPPORT (Section 4, K)

The rate of distribution of the state equalization guarantee distribution shall be based on a program unit value determined by the secretary of the public education department. The secretary of the public education department shall establish a preliminary unit value to establish budgets for the 2005-2006 school year and then, upon verification of the number of units statewide for fiscal year 2006 but no later than January 31, 2006, the secretary of the public education department may adjust the program unit value.

The general fund appropriation for the state equalization guarantee distribution includes fifty-one million eight hundred thousand dollars (\$51,800,000) to implement the forty thousand dollar (\$40,000) minimum salary for level two and level three-A teachers. To allocate to each school district and charter school the amount needed to provide the required minimum salary for all eligible level two and level three-A teachers, the secretary of the public education department shall establish a unit value for fiscal year 2006 without including the fifty-one million eight hundred thousand dollars (\$51,800,000) in the calculation. After verifying the amount needed by each school district and charter school, the secretary of the public education department shall use the fifty-one million eight hundred thousand dollars (\$51,800,000) to adjust program cost to allocate the verified amount to each school district and charter school.

The secretary of the public education department, in collaboration with the department of finance and administration office of educational accountability, shall ensure all level two and level three-A teachers receiving salary increases under the three-tiered minimum salary have been evaluated under the tiered licensure evaluation system and have the professional competencies of level two and level three-A teachers. The secretary of the public education department shall withhold from the public school district distribution funding for minimum salaries for any teacher that has not been evaluated. ~~The secretary of the public education department shall report the findings to the legislative education study committee and legislative finance committee by July 1, 2005.~~

The general fund appropriation for the state equalization guarantee distribution includes one million nine hundred thousand dollars (\$1,900,000) for raising the minimum salaries of educational assistants to twelve thousand dollars (\$12,000) effective July 1, 2005. If House Bill 137 or similar legislation of the first session of the forty-seventh legislature is enacted, the one million nine hundred thousand dollars (\$1,900,000) will be applied to the implementation of the tiered licensure system for educational assistants. **(HB 137, did not pass)**

To fund elementary fine arts programs for fiscal year 2006, the public education department shall distribute the general fund appropriation based on a cost differential of .05 multiplied by a 0.8 full-time-equivalent MEM.

The general fund appropriation for the state equalization guarantee distribution contains sufficient funding to provide a three-quarter percent increase in the employer contribution to the educational retirement fund.

For the 2005-2006 school year, the state equalization guarantee distribution contains sufficient funding for school districts implementing a formula-based program for the first time. Those districts shall use current year membership in the calculation of program units for the new formula-based program.

The general fund appropriation to the state equalization guarantee distribution reflects the deduction of federal revenues pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that includes payments commonly known as "impact aid funds" pursuant to 20 USCA 7701 et seq., and formerly known as "PL874 funds".

The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from the federal Mineral Lands Leasing Act receipts otherwise unappropriated.

Prior to the approval of school district and charter school budgets for fiscal year 2006, the secretary of the public education department shall verify that each local school board is providing a one and one-quarter percent salary increase for teachers not receiving an increase as a result of the three-tiered minimum salaries, all instructional staff and all other certified and noncertified employees, and bringing all level two and three-A teachers and those teachers moving from level one to level two to a minimum salary increase of forty thousand dollars (\$40,000).

The general fund appropriation to the state equalization guarantee distribution includes six million two hundred fifty-two thousand five hundred dollars (\$6,252,500) for a one and one-quarter percent salary increase for teachers not receiving an increase as a result of the three-tiered minimum salaries and two million three hundred eighty-one thousand nine hundred dollars (\$2,381,900) for instructional staff and five million three hundred seventy-two thousand seven hundred dollars (\$5,372,700) for all other certified and noncertified employees effective July 1, 2005.

Any unexpended or unencumbered balance in the distributions authorized remaining at the end of fiscal year 2006 from appropriations made from the general fund shall revert to the general fund.

The general fund appropriation for the transportation distribution includes sufficient funding to provide a one and one-quarter percent salary increase for transportation employees effective July 1, 2005.

The general fund appropriation for the transportation distribution includes sufficient funding to provide a three-quarter percent increase in the employer contribution to the educational retirement fund.

Any unexpended or unencumbered balance in the supplemental distributions of the public education department remaining at the end of fiscal year 2006 from appropriations made from the general fund shall revert to the general fund.

SPECIAL APPROPRIATIONS (Section 5)

- (1) ~~LEGISLATIVE COUNCIL SERVICE: 200.0~~
For a public school funding formula study, including costs to contract with one or more experts. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.
- (18) DEPARTMENT OF FINANCE AND ADMINISTRATION: 250.0
For schools outreach.
- (21) DEPARTMENT OF FINANCE AND ADMINISTRATION: 4,000.0
For ~~transfer to the pre-kindergarten fund,~~ for a voluntary pre-kindergarten program for expenditure in fiscal years 2005, 2006 and 2007. The department of finance and administration shall provide an expenditure plan for review by the legislative finance committee and legislative education study committee by July 1, 2005. Priority for funding shall be given to supplement public, tribal and private early childhood programs that are: (1) licensed as of July 1, 2005 (as applicable); (2) serving communities that have the highest percentage of public elementary schools that are not meeting the proficiency component required for calculating adequate yearly progress; and (3) serving children, at least sixty-six percent of whom live within the attendance zone of a Title 1 elementary school. The public education department and the children, youth and families department shall develop evaluation criteria to determine if the program results in improved student readiness for schools using scientific methods. ~~The appropriation is contingent on enacting House Bill 337 or similar legislation of the first session of the forty-seventh legislature.~~
- (86) DEPARTMENT OF HEALTH: 2,000.0
For start-up ~~and existing~~ school-based health centers providing services to students with the objective of the center becoming eligible as a medicaid provider.
- (104) PUBLIC EDUCATION DEPARTMENT: 7,000.0
For the public education department and public school districts' costs in student assessment and criterion-reference test development in fiscal years 2005, 2006, 2007 and 2008. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008, shall revert to the general fund.

- (105) PUBLIC EDUCATION DEPARTMENT: 600.0
For the implementation of the uniform chart of accounts in fiscal years 2005, 2006 and 2007. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007, shall revert to the general fund.
- (106) PUBLIC EDUCATION DEPARTMENT: 400.0
For continued implementation of the three-tiered evaluation system for teachers. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.
- (107) PUBLIC EDUCATION DEPARTMENT: 300.0
For developing a licensure and evaluation system for professional instruction support providers. The appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004. The appropriation is contingent on enactment of House Bill 83 or similar legislation of the first session of the forty-seventh legislature.
- (108) PUBLIC EDUCATION DEPARTMENT: 100.0
For the prueba de español para la certificación program.
- (109) PUBLIC EDUCATION DEPARTMENT: 5,000.0
From the appropriation contingency fund to augment emergency supplemental funds for distribution by the public education department to public school districts experiencing budget shortfalls resulting from the public school funding formula distribution for small districts, unanticipated growth, fixed costs, fuel costs and emergency expenses after the supplemental emergency fund balance has been used. The public education department will validate public school district requests and may transfer the funds from the appropriation contingency fund after certification to and approval by the board of finance.
- (110) PUBLIC EDUCATION DEPARTMENT: 1,000.0
For transfer to the charter school stimulus fund.
- (111) PUBLIC EDUCATION DEPARTMENT: 40.0
For maintenance of the state student identification number system.
- (112) PUBLIC EDUCATION DEPARTMENT: 2,400.0
For transfer to the teacher professional development fund to be used to fund re: learning, regional educational technology assistance, strengthening quality in schools, service learning, golden apple, closing the achievement gap, leadership academy and other professional development programs. ~~In fiscal year 2006, the public education department shall evaluate programs funded through the teacher professional development fund and provide a report to the legislative education study committee by November 2005.~~

(113) PUBLIC EDUCATION DEPARTMENT: 1,000.0
For transfer to the school library fund.

(114) PUBLIC EDUCATION DEPARTMENT:
The period of time for expending the one million eight hundred thousand dollars (\$1,800,000) appropriated from the general fund in Subsection 113 of Section 5 of Chapter 114 of Laws 2004 for implementation of the uniform chart of accounts is extended through fiscal year 2006, for the same purpose.

DATA PROCESSING APPROPRIATIONS (Section 7)

(35) PUBLIC EDUCATION DEPARTMENT: 6,650.0
For implementation of the systems architecture recommended by the decision support architecture consortium to meet state and federal reporting requirements, including the requirements of the No Child Left Behind Act in fiscal years 2005, 2006 and 2007. This appropriation includes four term full-time-equivalent positions. This appropriation is contingent on the public education department demonstrating performance through development of a strategic project plan, assigning of additional staff totally dedicated to the project and providing periodic status reports to the state chief information officer. The appropriation is from the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Section 12 of Chapter 114 of Laws 2004.

COMPENSATION APPROPRIATIONS (Section 8, A)

(8) one hundred six thousand six hundred dollars (\$106,600) to provide teachers in the department of health, corrections department, children, youth and families department and commission for the blind with a one and three-quarter percent salary increase;

GENERAL APPROPRIATION ACT OF 2005 Ch. 34 (partial veto)

PUBLIC EDUCATION DEPARTMENT APPROPRIATIONS (Section 9)

PP. one million five hundred thousand dollars (\$1,500,000) for physical education classes; ~~contingent on House Bill 62 or similar legislation of the first session of the forty-seventh legislature becoming law;~~

NONRECURRING FISCAL YEAR 2005 APPROPRIATIONS (Section 13)

To the Department of Finance and Administration:

(7) one million dollars (\$1,000,000) for pre-kindergarten services, contingent on House Bill 337 or similar legislation of the first session of the forty-seventh legislature becoming law.

PASSED

PUBLIC SCHOOL-RELATED LEGISLATION
FORTY-SEVENTH LEGISLATURE, FIRST SESSION, 2005

HOUSE BILLS

- *H 1 **FEED BILL, SGND (Jan. 21) Ch.1**, *Martinez* — funds the 2005 legislative session and other legislative activities, including the Legislative Education Study Committee (LESC) for FY 06.
- H 2 **GENERAL APPROPRIATION ACT OF 2005, SGND (Mar. 17) Ch. 33**
CS/H 2a **(partial veto)**, *Saavedra* — makes general appropriations from the General Fund and
et al. authorizes the expenditures by agencies for FY 06; among its provisions, appropriates approximately \$2.1 billion in Public School Support and education-related appropriations from the General Fund to public schools in FY 06; public school support appropriations include 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. (CS/H 2, 3, 4, 5, 6, & 48)
- *H 9a **UNEMPLOYMENT COMPENSATION CHANGES, SGND (Feb. 8) Ch. 3**, *Stewart* — amends current unemployment compensation law to increase and extend benefits, decrease employers' contributions, and eliminate certain restrictions on eligibility for benefits.
- H 32a **ENERGY EFFICIENCY & RENEWABLE ENERGY BONDING, SGND (Apr. 5) Ch. 176**, *Stewart* — enacts the Energy Efficiency and Renewable Energy Bonding Act; among its provisions requires the Energy, Minerals and Natural Resources Department (EMNRD), no later than the end of FY 10, to develop a state plan for the installation of energy efficiency measures in state buildings and school district buildings; creates the Energy Efficiency and Renewable Energy Bonding Fund; requires that any unexpended or unencumbered balance revert to the General Fund at the end of a fiscal year and allows the Legislature to appropriate any reverted funds to the EMNRD to implement the act; authorizes the issuance of bonds; and requires PED to reduce a school district's SEG distribution by 90 percent of the amount of energy savings as calculated by the EMNRD until the district's share of the bonded indebtedness is paid.
- H 61a **SCHOOL MEAL NUTRITION RULES, SGND (Apr. 5) Ch. 115**, *Swisstack* —
CS/H 61a requires PED, in collaboration with representatives from school boards, the Department of Health, the New Mexico Action for Healthy Kids, the food and beverage industry, and others to adopt rules, by December 31, 2005, governing food and beverages sold to students in public schools outside of school meal programs; requires that the rules address nutrition standards, portion sizes, and times when students may access those items; and exempts food and beverages sold at off-campus fundraisers.

- *H 84 **PUBLIC SCHOOL CODE CLEAN-UP, SGND (Apr. 7) Ch. 315**, *Stewart* —
 *CS/H 84a amends the Public School Code to clarify the definition of “teacher”; extends the duration of a Level 1 teaching license from three years to five years; requires a school district to provide professional development and peer intervention for a Level 3-A teacher who fails to demonstrate essential competency in a given school year; requires screening and monitoring of students in kindergarten and 1st grade and diagnostic testing of students in 2nd grade; and restores health education in the public schools by requiring that instruction that meets academic content and performance standards be provided in grades 1 through 12.
- *H 95a **PUBLIC PROJECT REVOLVING FUND AUTHORIZATIONS, SGND (Mar. 18) Ch. 36**, *Varela* — authorizes the New Mexico Finance Authority to make loans for public projects from the Public Project Revolving Fund, including loans to public school districts. [Similar to *S 152a]
- H 97 **FAMILY PRESERVATION ACT, SGND (Apr. 4) Ch. 68**, *Varela* — amends the Family Preservation Act to ensure, among other purposes, that children’s basic needs are met, among them the need to receive quality education both in and out of school. (May affect public schools)
- *H 98a **OFFICE OF WORKFORCE TRAINING & DEVELOPMENT, SGND (Apr. 4) Ch. 111**, *Varela* — amends the membership of the State Workforce Development Board and authorizes it to establish the Coordination Oversight Committee, whose members include the Secretary of Public Education; requires the Secretary, together with a CHE representative, to propose plans for secondary education that support the strategic plan proposed by other cabinet secretaries; and creates the Office of Workforce Training and Development, administratively attached to the Governor, to administer the provisions of the Workforce Development Act, but not the Unemployment Compensation Program or certain other programs.
- H 132a **EDUCATIONAL ASSISTANCE FOUNDATION LOANS, SGND (Apr. 6) Ch. 201**, *Miera* — amends statute to broaden the power of the New Mexico Educational Assistance Foundation to make educational loans to improve the postsecondary educational opportunities of New Mexico residents.
- H 139 **NM HISTORY FOR PUBLIC SCHOOL GRADUATION, SGND (Apr. 7) Ch. 314**, *Miera* — amends the Public School Code to require one-half unit in New Mexico history for high school graduation, beginning in school year 2005-2006. (For the LESC)
- H 165 **SEX OFFENDER REGISTRATION REQUIREMENTS, SGND (Apr. 7) Ch. 279**,
 CS/H 165 *Balderas* — amends the Sex Offender Registration and Notification Act to require sex offenders attending public or private schools to register with their respective county sheriff and the school principal within 10 days after beginning school; and imposes penalties for noncompliance.
- H 173 **TEACHER PREPARATION PROGRAM LOANS, SGND (Apr. 6) Ch. 202**, *Hamilton* — amends the Teacher Loan for Service Act to allow a student in a teacher preparation program at a two-year postsecondary educational institution to qualify for loans. (For the LESC)

- H 176 **VOCATIONAL EDUCATION UNDER PUBLIC COMMISSION, SGND (Apr. 8)**
 CS/H 176 **Ch. 328**, *Stapleton* — amends the Public School Code to designate the Public Education Commission as the sole state agency for the administration or supervision of the state plan relating to vocational education; and allows the commission to delegate to PED its administrative functions relating to vocational education and to coordinate with the State Workforce Development Board.
- H 218a **PUBLIC EDUCATION DEPARTMENT DIVISIONS, SGND (Apr. 7) Ch. 286**,
Stewart — amends the Public Education Department Act to specify 10 divisions for PED’s organizational structure. (For the LESC)
- H 249 **SCHOOL PROGRAM COST CALCULATION CHANGES, SGND (Apr. 6) Ch. 206**,
King — amends the program cost calculation section of the Public School Finance Act to align numerical references related to the total program units used to determine program costs. (For the LESC)
- H 259 **NATIVE AMERICAN BEHAVIORAL HEALTH COMMITTEE, SGND (Mar. 11)**
Ch. 7, *Sandoval* — amends statute to create a Native American subcommittee of the Behavioral Health Planning Council, which, among other duties, advocates for adults, children, and adolescents with serious mental illness or severe emotional, neurobiological, and behavioral disorders, including substance abuse. (May affect public schools)
 [Identical to S 157]
- H 268a **CREATE NEW MEXICO GOVERNMENT EDUCATION FUND, SGND (Apr. 6)**
Ch. 207, *Luna* — enacts a new section of the Public School Code to create the New Mexico Government Education Fund, to be administered by PED; and requires PED to contract for annual, week-long high school civics courses focusing on New Mexico state government to be held at various postsecondary educational institutions in New Mexico. (*\$47,500 is appropriated in CS/S 190a*)
- H 275a **PROHIBIT ALCOHOL ON SCHOOL PREMISES, SGND (Apr. 6) Ch. 249**, *Moore*
 — enacts the School Alcohol-Free Zone Act; makes it unlawful to possess or consume alcoholic beverages on public school grounds; requires schools to post notices to that effect; and imposes penalties for violations.
- H 289 **PART-TIME EMPLOYEE INSURANCE COVERAGE, SGND (Mar. 18) Ch. 42**,
Wirth — amends statute to require insurers to offer coverage to certain part-time employees. (May affect NMPSIA) [Identical to S 335, did not pass]
- H 306a **BOARD & COMMISSION SUNSET DATE CHANGES, SGND (Apr. 6) Ch. 208**,
Wallace — extends the sunset dates for certain boards and commissions, including several whose practitioners work in public schools, such as counselors and therapists, occupational therapists, speech language pathologists, athletic trainers, and social workers.
- H 309 **ATHLETIC TRAINER LICENSING & REQUIREMENTS, SGND (Apr. 5) Ch. 125**,
Wallace — amends statute to expand the duties of the Athletic Trainer Practice Board and to change the standards for examination and licensure of athletic trainers. (May affect public schools)

- H 314 **COUNSELING & THERAPY LICENSES & PRACTICE, SGND (Apr. 6) Ch. 210,**
 CS/H 314a *Moore* — amends statute to change the scope of practice for counseling and therapy and to amend licensure requirements, among other provisions. (May affect public schools)
- H 335 **HEALTH COVERAGE FOR UNMARRIED DEPENDENTS, SGND (Mar. 18) Ch. 41,** *Picraux* — amends statute to allow health care coverage of unmarried dependents until their 25th birthday, regardless of whether the dependents are enrolled in an educational institution. [Identical to S 269]
- H 336a **LOCAL OPTION QUALITY OF LIFE GROSS RECEIPTS, SGND (Apr. 6) Ch. 212,** *Picraux* — adds a new section to the County Local Option Gross Receipts Taxes Act and the Municipal Local Option Gross Receipts Taxes Act to authorize county and municipal local option quality of life gross receipts taxes; and specifies that, if a Class A county with a population in excess of 250,000 enacts such a tax, educational institutions serving kindergarten through 12th grade are not eligible for distributions from resulting county tax revenues.
- H 337a **PRE-KINDERGARTEN ACT, SGND (Apr. 5) Ch. 170,** *Miera* — enacts several new sections of the Children’s Code as the Pre-Kindergarten Act to provide a voluntary developmental readiness program for four-year-old children in communities throughout New Mexico; requires CYFD and PED to administer the program jointly; provides for pre-kindergarten services by certain “eligible providers”; requires CYFD and PED to issue RFPs; prescribes criteria for submitting and evaluating the proposals; creates two nonreverting funds: the Public Pre-Kindergarten Fund, administered by PED, to reimburse eligible providers that are public schools, and the Children, Youth and Families Pre-Kindergarten Fund, administered by CYFD, to reimburse other eligible providers; and includes a temporary provision that requires equal disbursements to each fund of any money appropriated for pre-kindergarten programs from FY 05 through FY 07. (*\$4.0 million is appropriated in CS/H 2a, et al., and \$950,000 in CS/S 190a*)
- H 349 **SCHOOL LIBRARY FUND ALLOCATIONS, SGND (Apr. 6) Ch. 213,** *Cordova* — amends the School Library Material Act to include clean-up language to require PED to “allocate” instead of “distribute” at least 90 percent of the estimated entitlement for each eligible entity by July 1 of each year. (For the LESC)
- H 368a **RAISE PROCUREMENT CODE SMALL PURCHASE LIMIT, SGND (Apr. 6) Ch. 214,** *Sandoval* — amends the Procurement Code to raise the thresholds for small purchases; among others would affect PED and public schools. [Identical to S 350a]
- H 389a **PERMANENT FUND INVESTMENT LIMITATIONS, SGND (Apr. 6) Ch. 240,** *Varela* — amends statute to remove investment limitations and to establish standards for prudent investment of the Land Grant Permanent Fund, the Severance Tax Permanent Fund, the Educational Retirement Fund, and PERA funds. [Identical to S 392a]
- H 394 **HEALTH INSURANCE RATES & ALLIANCE MEMBERSHIP, SGND (Mar. 17) Ch. 21,** *Martinez* — expands the membership of the board of directors of the New Mexico Health Insurance Alliance, changes the health plan premium rate structure, and requires the alliance to conduct outreach and technical assistance activities to increase employer, employee, and public awareness of available health insurance coverage options and to assist employers in securing or retaining health insurance coverage for employees and their dependents. (May affect public schools)

- H 404a BIENNIAL STATE BUDGETS, POCKET VETOED, *Moore*** — creates the Biennial Budget Pilot Project to determine whether biennial budgeting will enhance the state’s budget process; requires the Department of Finance and Administration (DFA) to administer the pilot project in consultation with the Legislative Finance Committee (LFC) through a joint Budgeting Pilot Project Staff Evaluation Team appointed by DFA and the LFC; prescribes a biennial budgeting process for participating agencies; and requires the team to provide annual reports and a final report in August 2010 to the Legislative Council, the LFC, and the Governor.
- H 410 INCOME TAX EXEMPTION FOR CERTAIN TAXPAYERS, SGND (Apr. 4)**
CS/H 410a Ch. 104, *Lujan, B* — adds a new section to and amends other sections of the Tax Administration Act to permit an income tax exemption for certain taxpayers and to phase in income tax rate reductions, among other provisions; enacts or amends several tax credit acts; and provides for a deduction from gross receipts of sales of certain tangible personal property during a designated three-day period in August prior to the beginning of each school year. (CS/H 410, 582, 844, & 1086)
- *H 433 LOCAL GOVERNMENT GROSS RECEIPTS TIME LIMITS, SGND (Apr. 5)**
Ch. 129, *Whitaker* — amends statute to remove the time limitation for a municipality or a county to enact an ordinance imposing capital outlay gross receipts tax. (May affect public schools)
- H 442a MINIMUM WAGE ON PUBLIC WORKS CONTRACT VALUE, SGND (Apr. 6)**
Ch. 253, *Ruiz* — amends the Public Works Minimum Wage Act to increase to \$60,000 the minimum contract value for the minimum wage on public works, to assign additional investigative powers to the Director of the Labor and Industrial Division of the Labor Department, to increase liability for violations of the act, and to provide additional recourse for an employee adversely affected by a violation of the act. (May affect public schools) [Similar to S 634a, did not pass]
- H 461 NORTHERN NM STATE SCHOOL NAME & MISSION, SGND (Apr. 7) Ch. 308**,
Salazar — amends statute related to Northern New Mexico Community College to change the name of the institution to Northern New Mexico College and authorizes the Board of Regents to implement a baccalaureate degree program in teacher education, without partnering with any four-year institution and to offer other four-year programs. [Identical to S 594]
- H 498a STATE USE ACT FOR PERSONS WITH DISABILITIES, SGND (Apr. 8) Ch. 334**,
Picraux — enacts the State Use Act to encourage and assist persons with disabilities to achieve maximum personal independence through useful and productive employment by ensuring an expanded and constant market for their services; establishes the New Mexico Council for Purchasing from Persons with Disabilities to determine, among other duties, which services provided by persons with disabilities in community rehabilitation programs are suitable for sale to state agencies and local public bodies; establishes conditions under which a state agency or local public body may procure services from a community rehabilitation program; and specifies that such procurement is exempt from the Procurement Code. (May affect public schools) [Similar to S 744a, did not pass]

- H 510 **CHARTER SCHOOL STANDARDS, SGND (Apr. 6) Ch. 221, *Gonzales* —**
CS/H 510a amends the 1999 Charter Schools Act by adding provisions to address several aspects of charter school facilities, among them: making charter school facilities eligible for state and local capital outlay funds and requiring that they be included in school districts' five-year facility plans; and requiring that charter schools approved on or after July 1, 2005 meet state educational occupancy standards, that existing charter school facilities meet state adequacy standards in the same manner as other public schools, and that after July 1, 2010, except under limited circumstances a charter shall not be approved or renewed if the charter school is not located in a public building that meets adequacy standards in the same manner as other public schools.
- H 511a **CORRECT EDUCATIONAL TECHNOLOGY DEFICIENCIES, SGND (Apr. 6) Ch. 222, *Miera* —** adds a new section to the Technology for Education Act to require the PED Education Technology Bureau, with the advice of the Council on Technology in Education and the Chief Information Officer, to define and develop minimum educational technology adequacy standards to supplement the adequacy standards developed by the Public School Capital Outlay Council for school districts to use to identify outstanding serious deficiencies in educational technology infrastructure; and creates the Educational Technology Deficiency Correction Fund for the purpose of making allocations to correct educational technology deficiencies.
- H 550a **PUBLIC EMPLOYEE WORK PAYMENT TRANSFERS, POCKET VETOED, *Lujan,A* —** amends statute to allow payment for work performed by one public employee on behalf of another in accordance with the provisions of the Federal Fair Labor Standards Act of 1938. (May affect PED and public schools)
- H 581 **LOCAL OPTION COMPENSATING TAXES, VETOED (Apr.7), *Silva* —**
CS/H 581a amends statute to provide for a local option compensating tax, imposed by either a municipality or a county, upon a taxpayer's use of property. (May affect public schools)
- *H 639 **PERMANENT NURSING PRACTICE PROGRAMS, SGND (Apr. 7) Ch. 307, *Picraux* —** amends the Nursing Practice Act to create a statewide program for certification of medication aides and medication aide training programs; to create a statewide program for hemodialysis technicians; and to amend fee schedules for certification and recertification of RNs and LPNs. [Similar to *S 119a]
- H 693 **SCHOOL DISTRICT ADDITIONS TO OTHER DISTRICTS, SGND (Mar. 28) Ch. 47, *Stapleton* —** amends statute to allow a technical and vocational institute district to be expanded through the addition of a portion of a school district, if approved by voters in an election held either through petition of the voters in the district or through an initiative of the institute board. [Identical to S 308]
- H 720a **NATURAL RESOURCE CONSERVATION BIDS, SGND (Apr. 5) Ch. 178, *Lujan,B* —** amends the Public Facility Energy Efficiency and Water Conservation Act to allow additional guarantees of performance; and amends the Procurement Code to clarify that certain contracts may provide for both design and installation. (May affect public schools)

- *H 745 **HIGHER EDUCATION AS CABINET DEPARTMENT, SGND (Apr. 7) Ch. 289,**
 *CS/H 745a *Lujan, B* — enacts the Higher Education Department Act; creates the Higher Education Department as a cabinet department, headed by a Secretary of Higher Education to be appointed by the Governor with the consent of the Senate; and creates a 14-member Higher Education Advisory Board, appointed by the Secretary and administratively attached to the department. [Identical to CS/S 677a]
- H 785 **COMMERCIAL DRIVER'S LICENSE BACKGROUND CHECKS, SGND**
 CS/H 785 **(Apr. 7) Ch. 310,** *Garcia, MP* — amends statute to provide procedures for confidentiality of background checks related to commercial driver's licenses, including licenses for school bus drivers, conducted pursuant to requirements of the federal Department of Homeland Security.
- H 873a **CHANGE PUBLIC SCHOOL BUDGET REQUESTS DUE DATE, POCKET**
VETOED, *Salazar* — amends the Public School Finance Act to change from October 15 to September 30 the deadline for local school boards to submit budget recommendations to PED, effective in 2006; and to change from November 30 to October 15 the deadline for PED to submit budget recommendations to DFA.
- H 885 **SEVERANCE TAX BOND PROJECTS, SGND (Apr. 8) Ch. 347, partial veto,**
 *CS/H 885a *Sandoval* — authorizes the issuance of severance tax bonds for capital projects throughout New Mexico, including projects at public schools.
- H 955 **SCHOOL DISTRICT ATTENDANCE POLICIES, SGND (Apr. 6) Ch. 260,**
Swisstack — amends the Public School Finance Act to provide that withdrawals of students do not include truants and habitual truants, whom the district, through its intervention, must intervene with and keep in an educational setting pursuant to the Compulsory School Attendance Law; and amends the Compulsory School Attendance Law to require school districts to document efforts made to keep truants and habitual truants in school.
- H 997a **SCHOOL BUS FUEL EXCISE TAX DEDUCTION, SGND (Apr. 6) Ch. 232,**
Gonzales — amends statute to allow a deduction from the Special Fuel Excise Tax for a certain kind of diesel fuel in vehicles used as school buses and to allow a refund of special fuel excise taxes paid for such vehicles on purchases on or after July 1, 2005.
- H 1091 **CHANGE SCHOOL CALCULATION OF MEM, SGND (Apr. 7) Ch. 291,** *Miera*
 CS/H 1091a — amends the Public School Finance Act to remove the requirement that school districts budget for capital outlay an amount of their state aid equal to 20 percent of the federal and local revenue for which the state takes credit in calculating the districts' State Equalization Guarantee distributions; to require school districts and charter schools, effective with school year 2006-2007, to use the average of the prior year 80th and 120th day memberships in calculating program units; and, contingent upon HB 32, as amended, or similar legislation becoming law, to allow PED to deduct annually 90 percent of the district's share of debt service payments incurred under the Energy Efficiency and Renewable Energy Bonding Act until the district's total debt had been paid.

H 1097 **2005 PUBLIC SECURITIES VALIDATION, SGND (Apr. 6) Ch. 266**, *Lujan, B* —
*CS/H 1097 enacts the 2005 Public Securities Validation Act to approve and confirm public securities issued by the state or any board or certain other entities, including school districts.

H 1101 **2005 CHARTER SCHOOL DISTRICT ACT, SGND (Apr. 7) Ch. 292**, *Swisstack*
CS/H 1101a — enacts the Charter School District Act of 2005; allows a school district, through local board resolution, two public hearings, and a petition by employees, to apply to PED to become a charter school district for a term of five years; limits the number of charter school districts to nine altogether (three small, three medium, and three large); prescribes exemptions from provisions of the Public School Code; provides for five-year renewals; requires PED to evaluate the performance of the charter school district; and requires PED and charter school districts to report annually to the LESC and the Governor.

HOUSE JOINT RESOLUTION

HJR 9a **BUILDING LEASE AGREEMENTS FOR STATE, CA**, *Lujan, B* — amends Article 9, Sections 8 and 11 of the state constitution to exclude from debt a financing agreement entered into by the state, a school district, or a charter school to lease a building or other real property with an option to purchase for a reduced price depending upon payments made by the state, school district, or charter school pursuant to the financing agreement under certain conditions.

HOUSE JOINT MEMORIALS

HJM 5 **PUBLIC RETIREMENT EXPANSION MORATORIUM**, *Varela* — requests a two-year moratorium through December 31, 2006 on proposals to enhance benefits of the PERA and ERA systems so that the true funded status of those systems can be better ascertained.

HJM 9 **STUDY CHANGING EDUCATIONAL RETIREMENT SYSTEM**, *Wallace* — requests that the Educational Retirement Board study the implications of moving from a defined benefit plan to a defined contribution plan for new education employees and submit findings to the LFC by September 30, 2005. [Identical to SJM 17]

HJM 13a **EDUCATOR QUALITY COUNCIL PROGRESS REPORT**, *Stewart* — requests that PED report to the LESC on the progress of the development of procedures and processes of the Professional Practices and Standards Council and other efforts to promote the autonomy of the education profession. (For the LESC)

HJM 15 **EDUCATIONAL RETIREMENT FUND YEARLY REPORTS**, *Williams* — requests that the Educational Retirement Board report yearly to members and to the LESC on the status of the solvency of the Educational Retirement Fund. (For the LESC)

HJM 21a **STUDY ESTABLISHING OFFICE OF WOMEN'S HEALTH**, *King* — requests that the Commission on the Status of Women create a task force to study the establishment of an office of women's health for New Mexico. (May affect public schools) [Identical to SJM 30]

- HJM 23** **CONTINUE TASK FORCE TO END HUNGER EFFORTS**, *Lujan,B* — requests that the New Mexico Task Force to End Hunger continue its work and draw upon the resources of certain state agencies, among them PED. [Similar to HJM 12, did not pass]
- HJM 26** **“CULTURAL & ETHNIC HERITAGE DAY”**, *Swisstack* — recognizes February 3, 2005 as Cultural and Ethnic Heritage Day.
- HJM 29** **CHILDREN’S EYE EXAM HEALTH CERTIFICATE**, *Vaughn* — requests that the Department of Health, in cooperation with PED, develop ways and means to implement a comprehensive eye examination health certificate for all children entering kindergarten or 1st grade; and present findings to the Legislative Health and Human Services Committee by October 2005. [Identical to SJM 39]
- HJM 32** **STUDY AUTISM SPECTRUM DISORDER SERVICES**, *King* — requests that the Legislative Health and Human Services Committee study the feasibility of establishing a system to determine the number and protect the confidentiality of individuals with autism spectrum disorders; and study how to deliver the necessary services to these individuals.
- HJM 35** **INFO ON NO CHILD LEFT BEHIND FUNDING**, *Foley* — requests that PED provide a report on the amount of federal funding the state has been eligible for and has received under the federal No Child Left Behind Act of 2001 (NCLB), how the money has been spent, whether any money was returned, and whether the state has not received or spent any money for which it was eligible.
- HJM 36** **FIRST SATURDAY IN AUGUST AS “YOUTH DAY”**, *Miera* — recognizes the first Saturday of every August as Youth Day and requests New Mexico’s Congressional delegation to pursue federal recognition of the day. [Identical to SJM 49]
- HJM 46** **“EXTENSION SERVICE DAY”**, *Nuñez* — declares February 17, 2005 as Extension Service Day at the Legislature. [Identical to SJM 44]
- HJM 51** **NM CENTENNIAL ENCYCLOPEDIA**, *Gutierrez* — endorses the New Mexico Centennial Encyclopedia Project. (May affect public schools)
- HJM 77** **STATE AGENCY REPORTS TO LEGISLATURE**, *Cervantes* — directs state agencies to comply with the law on submitting material and reports to the Legislature, and requests that state agencies make electronic versions of reports available when feasible. (May affect PED)
- HJM 80** **SIGN LANGUAGE INTERPRETER LICENSURE**, *Beam* — requests that the Commission for Deaf and Hard-of-hearing Persons, PED, the Regulation and Licensing Department, and the New Mexico School for the Deaf collaborate to develop and recommend a sign language licensure mechanism for the state; and report recommendations no later than January 30, 2006 to the appropriate legislative committee as deemed by the Legislative Council. [Identical to SJM 78]
- HJM 84** **“NEW MEXICO MESA DAY”**, *Sandoval* — designates February 17, 2005 as New Mexico MESA Day. [Identical to SJM 40]

- HJM 87** **REVISE SCHOOL READING PERFORMANCE STANDARDS**, *Stewart* — requests that PED revise its academic content and performance standards for reading, based on the latest scientifically based research on phonemic awareness, phonics, fluency, vocabulary, and text comprehension.

HOUSE MEMORIALS

- HM 2** **NO NEW MEXICO STUDENTS LEFT BEHIND**, *Begaye* — urges Congress to fund “the lofty mandates” of the No Child Left Behind Act or to accept responsibility for New Mexico’s failure to achieve them and advises New Mexico’s congressional delegation that taxpayers expect their support either for full funding or for relaxed standards.
- HM 3** **ELEVATE STANDING OF INDIAN EDUCATION DIVISION**, *Begaye* — requests that PED analyze means of elevating the status of the Indian Education Division and that the Secretary of Public Education and the Deputy Superintendent of Indian Education prepare a report for the Indian Affairs Committee on ways that the authority, funding, scope, staffing, and responsibilities of the Indian Education Division can be enhanced.
- HM 15** **USE OF PROFESSIONALS FOR SCHOOL COMPUTERS**, *Arnold-Jones* — requests that, during the 2005 interim, PED study the feasibility of including network administrators and other information technology professionals as a category of instructional support providers.
- HM 16** **“UNIVERSITY OF NEW MEXICO DAY”**, *Picraux* — proclaims February 3, 2005 as University of New Mexico Day.
- HM 18** **“DISABILITY AWARENESS DAY”**, *Beam* — proclaims February 9, 2005 as Disability Awareness Day and declares legislative support for programs that serve persons with disabilities living in their own communities. [Identical to SM 6]
- HM 22** **CHILD CARE WORKER WAGE & BENEFIT STUDY**, *Vigil* — requests that the interim Legislative Health and Human Services Committee study the value and impact of providing supplemental wage support and benefits for child care workers.
- HM 32a** **CHILDREN’S MEDICAID BEHAVIORAL HEALTH REPORT**, *Stewart* — requests that the Secretary of the Human Services Department prepare annual financial reports until 2010 on children’s Medicaid behavioral health programs. (May affect public schools)
- HM 33a** **STUDY EARLY COLLEGE HIGH SCHOOL INITIATIVE**, *Ezzell* — requests that ENMU at Roswell and Hagerman Municipal Schools study the feasibility and effectiveness of an early college high school initiative; and that the results of this study be reported to the LESC by September 2006.
- HM 36a** **SCHOOL SECRETARY & CLERK SALARY STUDY**, *Ruiz* — requests that the Office of Education Accountability of DFA, conduct a study assessing the appropriate salaries for the skill levels required for school district secretaries, clerks, and bookkeepers and make recommendations for a salary schedule process for these employees.

- HM 45** **EDUCATION DEPARTMENT SPANISH COMPETENCY EXAM**, *Gonzales* — requests that PED include Prueba as an option for certification to teach Spanish.
- HM 47** **NM SOCIAL STUDIES TEACHERS, IN RECOGNITION**, *Miera* — recognizes social studies teachers for their service to the students and residents of New Mexico.
- HM 52** **STUDY CERTAIN 2005 SESSION EDUCATION BILLS**, *Stewart* — requests that the LESC study the issues raised in HB 914, HB 937, and their proposed substitutes (2005 regular session); and that the LESC report to the Legislature by January 1, 2006 on its findings and recommendations regarding the School Personnel Act, local governance, and the respective roles of local superintendents and local school boards.
- HM 60** **“SCHOOLS ON THE RISE DAY”**, *Miera* — recognizes March 10, 2005 as Schools on the Rise Day to showcase 19 public schools that have risen in their state rankings to make adequate yearly progress.

SENATE BILLS

- S 45a** **WORKERS' COMP INDEPENDENT MEDICAL EXAM, SGND (Apr. 5) Ch. 150,** *Leavell* — amends statute to allow a workers' compensation judge to order an independent medical examination if the judge believes that such an examination will assist in the proper determination of any issue in a claim. (May affect public schools)
- S 61** **FINANCIAL ADVISOR PROCUREMENT CODE EXEMPTION, SGND (Apr. 8) Ch. 318,** *Carraro* — amends statute to exempt from the Procurement Code contracts for financial advisor services entered into by the Educational Retirement Board, State Investment Officer, or the PERA board.
- S 69a** **REQUIRE HONORS CLASSES IN CERTAIN SCHOOLS, SGND (Apr. 4) Ch. 78,** *Beffort* — adds a new section to the Public School Code to require each school district to offer at least one honors or similar academically rigorous class each in mathematics and language arts in each high school.
- S 108** **SET PRIMARY ELECTION DATE, POCKET VETOED,** *Duran* — amends the Election Code to change the date of the primary election from the first Tuesday in June of each even-numbered year to the Tuesday after the first Monday. (May affect PEC elections)
- S 114a** **WORKERS' COMP ELIGIBILITY REQUIREMENTS, SGND (Apr. 5) Ch. 151,** *Leavell* — amends the Workers' Compensation Act in terms of eligibility and compensation for temporary total disability. (May affect public schools)
- *S 119a** **UNIFY NURSING MEDICATION AIDES PROGRAMS, SGND (Apr. 8) Ch. 303,** *Nava* — amends the Nursing Practice Act to create a statewide program, available to public schools as well as other entities, for certification of medication aides and medication aide training programs under the Board of Nursing. (For the LESC) [Similar to *H 639]
- S 125a** **FUNDING FORMULA STUDY TASK FORCE, SGND (Mar. 28) Ch. 49,** *Nava* — creates the Funding Formula Study Task Force to select a contractor for a comprehensive study of the Public School Funding Formula, including a revised T&E Index aligned with the three-tiered licensure system for teachers, size factors associated with small schools and small school districts, and any other factors that might affect the equity and efficacy of the Public School Funding Formula as a whole; and requires the task force to make recommendations to the Legislature and the Governor by December 15, 2006. (*\$200,000 is appropriated in CS/H 2a, et al., VETOED*) (For the LESC)
- *S 128a** **INSTRUCTIONAL MATERIAL ALLOCATION CALCULATION, SGND (Apr. 4) Ch. 80,** *Nava* — amends the Instructional Material Law to change the allocation date from July 1 to April 1; to change the adoption process for instructional material on the multiple list; to create a fund consisting of fees charged to publishers for the review of their instructional materials; to provide a PED-determined stipend for the reviewers of the adoption process from the fund; to require PED to provide payment to depositories on behalf of private schools; to increase from 30 to 50 the percentage of the allocation that may be spent on materials not on the multiple list; and to allow for waivers under certain provisions. (For the LESC)

- S 138a CORE SCHOOL CURRICULUM FRAMEWORK, SGND (Apr. 7) Ch. 300, *Kernan*** — adds a new section to the Public School Code to allow school districts and charter schools to create core curriculum frameworks to provide high-quality curricula in kindergarten through grade 6 to prepare students for pre-AP and AP coursework in grades 7 through 12; and allows the framework to be selected from previously developed curricula or to be developed by the school district or charter school. (*\$250,000 is appropriated in CS/H 2a, et al.*) (For the LESC)
- *S 152a NMFA PUBLIC PROJECT REVOLVING FUND PROJECTS, POCKET VETOED, *Garcia*** — authorizes the New Mexico Finance Authority to make loans for public projects from the Public Project Revolving Fund, including loans to public school districts. [Similar to *H 95a]
- S 157 NATIVE AMERICAN BEHAVIORAL HEALTH COMMITTEE, POCKET VETOED, *Komadina*** — amends statute to create a Native American subcommittee of the Behavioral Health Planning Council, which, among other duties, advocates for adults, children, and adolescents with serious mental illness or severe emotional, neurobiological, and behavioral disorders, including substance abuse. (May affect public schools) [Identical to H 259]
- S 161a COMMON LOWER-DIVISION COLLEGE COURSE NUMBERS, SGND (Apr. 6) Ch. 272, *Nava*** — amends the Post-Secondary Education Articulation Act to require a common course name, numbering, and content system for lower-division courses in public institutions of higher education (IHEs); to require IHEs to accept transfer modules; and to require IHEs to reimburse students for costs of courses not accepted for transfer. (For the LESC)
- S 181a EDUCATIONAL RETIREMENT EMPLOYER CONTRIBUTION, SGND (Apr. 6) Ch. 273, *Smith*** — amends the Educational Retirement Act to increase employee contributions by .075 over a four-year period and employer contributions by .75 over a seven-year period beginning in FY 05. (*approximately \$12.1 million is appropriated in CS/H 2a, et al., for employer contributions*)
- S 185 GIFTED EDUCATION PROGRAM ADVISORY COMMITTEES, SGND (Mar. 17) Ch. 25, *Nava*** — amends the Public School Code to require school districts to create as many gifted education advisory committees as there are high schools in the district, or a single district-wide advisory committee.
- S 190 GENERAL APPROPRIATION ACT OF 2005, SGND (Mar. 17) Ch. 34 (partial
CS/S 190a veto), *Fidel*** — appropriates funds and authorizes expenditures by state agencies, including PED and selected school districts.
- S 198 HIGH SCHOOL DIPLOMAS FOR CERTAIN VETERANS, SGND (Mar. 11) Ch. 11, *Sanchez,B*** — enacts a new section of 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 to require PED to adopt and promulgate rules to implement this provision.

- S 215 **AMERICAN INDIAN ADVANCED SCHOOL CURRICULUM, SGND (Apr. 7) Ch. 299**, *Tsosie* — requires PED’s Indian Education Division to develop or select for implementation a challenging, sequential, culturally relevant curriculum for American Indian students in grades K through 6 to prepare them for pre-AP and AP coursework in grades 7 through 12. (For the LESC)
- S 216a **EDUCATIONAL RETIREES RETURNING TO WORK, VETOED (Apr. 7)**, *Smith* — amends the Educational Retirement Act to provide that all ERB retirees who return to work without suspending benefits must make non-refundable contributions to the Educational Retirement Fund as of July 1, 2005.
- S 230 **EMERGENCY DRILLS IN PUBLIC & PRIVATE SCHOOLS, SGND (Mar. 17) Ch. 27**, *Sharer* — amends the fire drill statute in the Public School Code to require – without increasing the number of drills – that public and private schools conduct two shelter-in-place drills and one evacuation drill during the school year, as directed by PED.
- S 233a **CHILDREN’S CODE REVISIONS, SGND (Apr. 6) Ch. 189**, *Sanchez, M* — amends the Children’s Code to change the name of the Family in Need of Services Act to the Family Services Act; to remove local school boards and PED, as well as the Department of Health, from the referral process under the act; to delete the ten unexcused absences from school as a criterion for a referral; to amend child placement procedures; to strengthen confidentiality requirements for records in abuse and neglect cases; to require special training for a local law enforcement officer investigating abuse and neglect at schools as well as childcare and daycare facilities; to require that investigations of abuse and neglect cases protect the privacy of the child and family; and to expand and clarify a child’s right to counsel, among numerous other amendments. (May affect public schools)
- S 243a **COMMERCIAL DRIVER’S CHANGES, SGND (Apr. 8) Ch. 312**, *Grubestic* — amends statute to change the application and testing requirements for commercial driver’s licenses, among numerous other provisions. (May affect public schools)
- S 269 **HEALTH COVERAGE FOR UNMARRIED DEPENDENTS, POCKET VETOED**, *Feldman* — amends statute to allow health care coverage of unmarried dependents until their 25th birthday, regardless of whether the dependents are enrolled in an educational institution. [Identical to H 335]
- S 275 **ASTHMA MEDICATION FOR CERTAIN STUDENTS, SGND (Mar. 30) Ch. 60**, *Nava* — requires public schools and school districts to allow students to carry and self-administer asthma medication and emergency anaphylaxis (allergy) medication under certain conditions; allows parents to provide backup medication; and exempts from liability for civil damages any authorized school personnel who provide a student with this backup medication.
- S 296 **EXPAND RETIREE HEALTH CARE ACT ELIGIBILITY, SGND (Apr. 4) Ch. 86**, *Neville* — amends the Retiree Health Care Act to include as eligible participating retirees the former members of certain governing boards.

- S 308 SCHOOL DISTRICT ADDITIONS TO OTHER DISTRICTS, POCKET VETOED, Lopez** — amends statute to allow a technical and vocational institute district to be expanded through the addition of a portion of a school district, if approved by voters in an election held either through petition of the voters in the district or through an initiative of the institute board. [Identical to H 693]
- S 313 CREATE GOVERNOR’S HIV & AIDS COMMISSION, SGND (Mar. 5) Ch. 5, Griego** — creates the Governor’s HIV and AIDS Policy Commission, whose members include the Secretary of Public Education or designee; and assigns duties to the commission, among them reviewing and making recommendations to the Department of Health regarding HIV and AIDS policies.
- S 350a RAISE PROCUREMENT CODE SMALL PURCHASE LIMIT, POCKET VETOED, Altamirano** — amends the Procurement Code to raise the thresholds for small purchases; among others would affect PED and public schools. [Identical to H 368a]
- S 392a PERMANENT FUND INVESTMENT CRITERIA, POCKET VETOED, Carraro** — amends statute to remove investment limitations and to establish standards for prudent investment of the Land Grant Permanent Funds, the Severance Tax Permanent Fund, the Educational Retirement Fund, and PERA funds. [Identical to H 389a]
- S 400 TEMPORARY LICENSE NIGHT DRIVING REQUIREMENTS, SGND (Mar. 17) Ch. 29, Altamirano** — amends statute to exempt an applicant for a provisional driver’s license from the requirement to practice driving at night if that applicant’s doctor has prohibited the applicant from driving at night because of low nighttime vision. (May affect public schools)
- S 410 TEACH EFFECTS OF ALCOHOL & DRUGS IN SCHOOLS, VETOED (Mar. 17), Carraro** — enacts a new section of the Public School Code to require PED to require public schools to implement instructional programs on the effects of tobacco, drug, and alcohol use on the human body and on society.
- S 415a CREATE CHILD SOLICITATION BY COMPUTER OFFENSE, SGND (Apr. 7) Ch. 295, Garcia** — amends statute to eliminate the criminal offenses of dissemination of material harmful to a minor by computer and child luring and to make a new, similar criminal offense known as child solicitation by computer, a fourth degree felony. (May affect public schools)
- S 435a CHILDREN’S CABINET ACT, SGND (Apr. 1) Ch. 64, Ortiz y Pino** — enacts the Children’s Cabinet Act to create the Children’s Cabinet, administratively attached to the office of the Governor; prescribes membership of the cabinet, which includes the Secretary of Public Education; requires the Children’s Cabinet to study and make recommendations for the design of a coordinated system to maximize outcomes among children and youth under age 21, including preparedness for and success in school; and requires the cabinet to meet at least twice yearly with numerous groups and constituencies, including the Legislative Health and Human Services committee and the LESC.

- S 441a **SALVAGE & UNREPAIRABLE VEHICLE SALES, SGND (Apr. 8) Ch. 324,**
 CS/S 441a *Taylor* — amends the Motor Vehicle Code to redefine the terms “nonrepairable vehicle” and “salvage vehicle,” among others, and to limit the sale of nonrepairable vehicles to certain licensed entities. (May affect public schools)
- *S 455a **PUBLIC SCHOOL CAPITAL OUTLAY AMENDMENTS, SGND (Apr. 6) Ch. 274,**
 *CS/S 455a *Nava* — amends statute to develop the structure and goals of the state public school capital outlay program, to provide for the program’s continued implementation, and to provide standards for charter school facilities; statutes to be amended include the Public School Capital Outlay Act, the Public School Capital Improvements Act, the Technology for Education Act, the Public School Insurance Authority Act, the Severance Tax Bonding Act, and other statutes related to school district general obligation bonds, school district construction, and applicability of state construction codes to school district projects; includes the following appropriations from the Public School Capital Outlay Fund: \$4.0 million to make lease payments for classroom facilities (including charter schools) and, beginning in FY 06, to increase the per student lease amount from a maximum of \$300 per student to \$600 per student; \$2.1 million to reimburse the state fire marshal, the Construction Industries Division, and local jurisdictions for school building inspections; \$1.6 million to the Public School Facilities Authority (PSFA) for fiscal years 05 through 07 to develop and implement a uniform, statewide, web-based facility information management system; and \$284,400 to the Public School Capital Outlay Council for expenditure in FY 05 to reimburse charter schools in their first year of operation during the school year 2004-2005 for lease payments. (For the LESC and the PSCOTF)
- S 456a **EXPAND PRIMARY CARE CAPITAL FUNDING ACT, SGND (Mar. 28) Ch. 54,**
Beffort — amends statute to add school-based health centers and telehealth sites as eligible entities under the Primary Care Capital Funding Act.
- S 457 **STATE EMPLOYEE TRANSPORTATION FRINGE BENEFIT, SGND (Mar. 16) Ch. 17,**
Lopez — adds a new section of statute to allow state agencies, state educational institutions, and political subdivisions of the state to offer their employees a qualified transportation fringe benefit, in the form of a pre-tax deduction, an employer-paid benefit, or some combination of the two. (May affect public schools)
- S 473a **NEW MEXICO TELEHEALTH COMMISSION ACT, SGND (Mar. 28) Ch. 55,**
Komadina — enacts the New Mexico Telehealth Commission Act to encourage a single, coordinated statewide effort to create a telehealth system; and creates the New Mexico Telehealth Commission, one of whose members is a representative from PED.
- S 582a **DENIAL OF COLLEGE BENEFITS TO IMMIGRANTS, SGND (Apr. 8) Ch. 348,**
Nava — amends statute to prohibit a public postsecondary institution from denying admission or eligibility for certain tuition rates or state-funded financial aid to a student because of the student’s immigration status, under certain conditions.
- S 586a **REQUIRE CHILD CAR BOOSTER SEATS, SGND (Apr. 7) Ch. 298,**
Grubestic — amends statute to prescribe additional criteria for child restraints in passenger cars, vans, and pickup trucks, with certain exceptions, among them school buses.

- S 594** **NORTHERN NEW MEXICO SCHOOL NAME & MISSION, SGND (Apr. 8) Ch. 304**, *Martinez* — amends statute related to Northern New Mexico Community College to change the name of the institution to Northern New Mexico College and authorizes the Board of Regents to implement a baccalaureate degree program in teacher education, without partnering with any four-year institution and to offer other four-year programs. [Identical to H 461]
- S 614a** **CREATE NEXT GENERATION FUND & COUNCIL, SGND (Apr. 1) Ch. 65**, *Nava* — amends the Children’s Trust Fund Act to create the Next Generation Council and the Next Generation Fund to support programs approved by the Children’s Trust Fund Board to provide positive child and youth development activities, among other purposes. (May affect public schools)
- S 617** **CHANGE YOUTH COUNCIL TO YOUTH ALLIANCE, SGND (Apr. 1) Ch. 66**, *Nava* — changes the name of the Youth Council Act to the Youth Alliance Act; increases the membership of the alliance and changes the process for members’ recruitment and selection; and modifies the duties of the Youth Alliance Coordinator.
- S 634a** **MINIMUM WAGE ON PUBLIC WORKS CONTRACT VALUE, POCKET VETOED**, *Cisneros* — amends the Public Works Minimum Wage Act to increase to \$60,000 the minimum contract value for the minimum wage on public works, to assign additional investigative powers to the Director of the Labor and Industrial Division of the Labor Department, to increase liability for violations of the act, and to provide for certain court awards for an employee adversely affected by a violation of the act. (May affect public schools) [Similar to H 442a]
- *S 662a** **SCHOOL PERSONNEL LEVEL 1 & 2 LICENSES, SGND (Apr. 8) Ch. 316**, *Kernan* — amends the School Personnel Act to change a Level 1 provisional license from three to five years; to require that, if a Level 3-A teacher does not demonstrate essential competency in a given year, the district must provide that teacher with additional professional development; to allow the district not to contract with the teacher to teach in the classroom if, after the year of professional development, the teacher still fails to demonstrate essential competency; and to delay implementation of the minimum salaries for school principals until school year 2007-2008.
- S 669a** **COLLEGE AFFORDABILITY ACT, SGND (Apr. 6) Ch. 192**, *Sanchez, M* — enacts the College Affordability Act to encourage New Mexico students with financial need to attend and complete college at public institutions in New Mexico; prescribes conditions for student eligibility and duties of the CHE; and creates the College Affordability Endowment Fund and the College Affordability Scholarship Fund.
- S 670a** **SALE OF GO BONDS TO STATE OF NEW MEXICO, SGND (Apr. 5) Ch. 158**, *Grubestic* — amends statute to provide for the sale of general obligation bonds to the state and to provide for the sale of short-term and variable rate demand general obligation bonds by negotiated sale. (May affect public schools)

- S 677 **HIGHER EDUCATION AS CABINET DEPARTMENT, POCKET VETOED,**
CS/S 677a *Nava* — enacts the Higher Education Department Act; creates the Higher Education Department as a cabinet department, headed by a Secretary of Higher Education, to be appointed by the Governor with the consent of the Senate; and creates a 14-member Higher Education Advisory Board, appointed by the Secretary and administratively attached to the department. [Identical to *CS/H 745a]
- S 678 **THIRD-PARTY ELECTION REGISTRATION AGENTS, SGND (Apr. 6) Ch 270,**
CS/S 678 *Lopez* — amends numerous provisions in the Election Code affecting such matters
et al. as formation and designation of precincts, county canvass observers, filing dates for
CS/CS/S 678a independent and write-in candidates, registration procedures, early processing of absentee ballots, and voter identification, among others. (May affect local board and PEC elections)
- S 724 **ACTUARIAL SOUNDNESS OF CERTAIN PUBLIC FUNDS, POCKET**
CS/S 724 **VETOED**, *Rawson* — amends statute to provide standards for assessing contributions against state agencies and local public bodies. (May affect public schools)
- S 789a **PROGRAM UNITS FOR EXTRACURRICULAR ACTIVITIES, SGND (Apr. 4) Ch. 97,**
Beffort — adds a new section to the 1999 Charter Schools Act to require school districts and the New Mexico Activities Association to allow charter school students in grades 7 through 12 to participate in extracurricular activities in the public school in the attendance zone in which the students live, if those students meet eligibility requirements other than enrollment in a particular public school.
- S 814 **PROCUREMENT CODE SUBCONTRACTOR BONDING, SGND (Apr. 4) Ch. 99,**
Taylor — enacts a new section of the Procurement Code to require a subcontractor to provide a performance and payment bond on a public works building project of \$50,000 or more. (May affect public schools)
- S 875a **PUBLIC RETIREES RETURNING TO WORK, VETOED (Apr. 7),** *Altamirano* — amends the PERA to extend the layoff period to 12 months, with exceptions for members returning to work as peace officers or water or wastewater facility operators, and to require members who return to work and earn \$30,000 or more to contribute to the fund during the time of their re-employment; amends the ERA to require retirees who return to work and earn \$30,000 or more to contribute to the retirement fund during the time of their re-employment and to limit the return-to-work option to members employed as teachers in public schools or as instructors in public postsecondary educational institutions; and establishes the basis for calculating a legislator's annual pension as the average of the three highest per diem rates as determined on July 1 of each year of service, applicable to legislators who retire after July 1, 2005.
- S 883a **NM STATE HOSPITAL NAME CHANGE, SGND (Apr. 8) Ch. 313,** *Campos* — amends statute to change the names of state educational institutions, including changing the name of the New Mexico State Hospital to the New Mexico Behavioral Health Institute at Las Vegas and changing the name of the New Mexico Institute for the Blind and Visually Impaired to the New Mexico School for the Blind and Visually Impaired.

S 905 **CREATE STATE MUSEUM EXHIBIT FUND, SGND (Apr. 6) Ch. 277, *Grubestic***
CS/S 905 — creates the State Museums Improvements and Exhibits Fund in the State Treasury to support the development, implementation, and maintenance of exhibitions at New Mexico museums and the maintenance and repairs of museum facilities. (May affect public schools)

SENATE JOINT MEMORIALS

- SJM 2** **STUDY WAYS TO IMPROVE HEALTH OF YOUTH**, *Campos* — requests the Department of Health and PED to make recommendations to increase the physical activity and improve the eating habits of youth.
- SJM 13** **CREATE STATE INVESTMENT FUNDS TASK FORCE**, *Carraro* — requests that the Legislative Council create the State Investment Funds Task Force to continue the work of the State Permanent Fund Task Force. (May affect public schools)
- SJM 17** **STUDY CHANGING EDUCATIONAL RETIREMENT SYSTEM**, *Altamirano* — requests that the Educational Retirement Board study the implications of moving from a defined benefit plan to a defined contribution plan for new education employees and submit findings to the LFC by September 30, 2005. [Identical to HJM 9]
- SJM 21** **IMPROVE HIV AND AIDS SERVICES**, *Griego* — requests that the Department of Health lead a study of HIV and AIDS services to coordinate funding and service delivery and eliminate duplication; and that participants in the study include PED and PED's Vocational Education Division.
- SJM 24** **IMPROVE EDUCATION & STATE PARKS RELATIONSHIP**, *Nava* — requests that PED and the State Parks Division of the Energy, Minerals and Natural Resources Department prepare a study outlining opportunities for increased partnerships between those two agencies; and report to the LESC by November 1, 2005.
- SJM 29** **EXAMINE SCHOOL SOCIAL STUDIES CURRICULA**, *Nava* — requests that PED assess the alignment of school districts' social studies curricula with the state social studies standards over the past five years, with emphasis on the content standards dealing with government and civics; and requests the PED to report its findings to the Legislature prior to the 2nd Session of the 47th Legislature.
- SJM 30** **STUDY ESTABLISHING OFFICE OF WOMEN'S HEALTH**, *Rodriguez* — requests that the Commission on the Status of Women create a task force to study the establishment of an office of women's health for New Mexico. (May affect public schools) [Identical to HJM 21a]
- SJM 36** **NM CENTENNIAL ENCYCLOPEDIA PROJECT**, *Papen* — requests that the New Mexico Centennial Encyclopedia Project be endorsed, that the preliminary planning of the Historical Society of New Mexico be acknowledged, and that support of this undertaking be recommended to other individuals and agencies. (May affect public schools)

- SJM 37** **STUDY NURSE STAFFING & RETENTION ISSUES**, *Grubestic* — requests that the New Mexico Health Policy Commission study the impact of nurse staffing and retention issues on workforce development and patient safety. (May affect public schools)
- SJM 39** **CHILDREN’S EYE EXAM HEALTH CERTIFICATE**, *Papen* — requests that the Department of Health, in cooperation with PED, develop ways and means to implement a comprehensive eye examination health certificate for all children entering kindergarten or 1st grade; and present findings to the Legislative Health and Human Services Committee by October 2005. [Identical to HJM 29]
- SJM 40** **“NEW MEXICO MESA DAY”**, *Lopez* — designates February 17, 2005 as New Mexico MESA Day. [Identical to HJM 84]
- SJM 44** **“EXTENSION SERVICE DAY”**, *Ryan* — declares February 17, 2005 as Extension Service Day at the Legislature. [Identical to HJM 46]
- SJM 49** **“YOUTH DAY”**, *Sanchez,B* — recognizes the first Saturday of every August as Youth Day and requests New Mexico’s congressional delegation to pursue federal recognition of the day. [Identical to HJM 36]
- SJM 50** **NEEDS OF GRANDCHILDREN RAISED BY GRANDPARENTS**, *Lopez* — requests that the Human Services Department, together with several other departments including PED, convene a multi-agency task force to develop an interdepartmental plan to assess the needs of grandchildren and grandparents living in grandparent-headed households; and requests the task force to report progress and legislative recommendations to the Legislative Health and Human Services Committee by October 2005.
- SJM 52** **STUDY PRESCRIPTION DRUGS FOR CHILD BEHAVIOR**, *Beffort* — requests that the Department of Health convene a task force to study the potential misuse and overuse of prescription drugs in dealing with children’s behavioral problems in school; and that the task force findings and recommendations be presented to the LESC and the Legislative Health and Human Services Committee by October 2005.
- SJM 53** **SERVICES FOR CHILDREN EXPOSED TO VIOLENCE**, *Komadina* — requests that the Department of Health and CYFD lead a study surveying and assessing New Mexico’s approach to providing services and treatment for children exposed to domestic violence. (May affect public schools)
- SJM 61** **SUICIDE PREVENTION PROGRAMS IN ALL SCHOOLS**, *Campos* — requests that PED, CHE, the Department of Health, and representatives of postsecondary educational institutions collaborate to address the issue of youth suicide by developing and providing training programs for teachers and students, developing a suicide prevention and response protocol, and establishing suicide prevention and response programs in all public schools and universities in New Mexico; and report progress no later than November 2005 to an appropriate interim committee of the Legislature.
- SJM 74** **LOTTERY SCHOLARSHIP STUDY COMMITTEE**, *Sanchez,M* — requests that the Legislative Council appoint an interim legislative committee to study the lottery tuition scholarship program and make recommendations to the Legislative Council by December 15, 2005.

- SJM 76 STATEWIDE SUMMIT ON INDIGENOUS PLANNING**, *Tsosie* — encourages all federal, state, local, and tribal planning agencies to cooperate and to support the initiatives of the American Planning Association Indigenous Planning Division; and requests that CHE, all New Mexico postsecondary educational institutions, and PED’s Indian Education Division support and promote careers and training in planning for the benefit of tribal communities.
- SJM 78 DEVELOP SIGN LANGUAGE INTERPRETER LICENSURE**, *Rodriguez* — requests that the Commission for Deaf and Hard-of-hearing Persons, PED, the Regulation and Licensing Department, and the New Mexico School for the Deaf collaborate to develop and recommend a sign language licensure mechanism for the state; and report recommendations no later than January 30, 2006 to the appropriate legislative committee as deemed by the Legislative Council. [Identical to HJM 80]
- SJM 83 INDIGENOUS PEOPLES PLANNING CONFERENCE**, *Tsosie* — encourages all federal, state, local, and tribal planning agencies to cooperate and support the initiatives of the American Planning Association’s Indigenous Planning Division. (May affect public schools)

SENATE MEMORIALS

- SM 6 “DISABILITY AWARENESS DAY”**, *Cravens* — proclaims February 9, 2005 as Disability Awareness Day and declares legislative support for programs that serve persons with disabilities living in their own communities. [Identical to HM 18]
- SM 9 “ENLACE NEW MEXICO DAY”**, *Nava* — declares March 3, 2005 as ENLACE New Mexico Day in the Senate.
- SM 13 COMBAT UNDERAGE DRINKING IN NEW MEXICO**, *Nava* — requests that PED, CYFD, and the Department of Health participate in campaigns to increase awareness of the problem of underage drinking in New Mexico. (May affect public schools)
- SM 21 “LIBERTY DAY”**, *Harden* — proclaims March 16, 2005 as Liberty Day in honor of the 254th anniversary of the birth of the country’s fourth president, James Madison, the “father of the constitution” and one of the authors of the Federalist Papers. (May affect public schools)
- SM 37 GOVERNMENT INFRASTRUCTURE RENOVATION PLANS**, *Griego* — requests that DFA develop a plan and establish mechanisms for governmental entities to enter into agreements related to infrastructure. (May affect public schools)