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April 17, 2015

MEMORANDUM

TO: New Mexico Legislators

FR: Frances Ramírez-Maestas

Handwritten signature of Frances Ramírez-Maestas in black ink.

RE: SUMMARY OF PUBLIC EDUCATION-RELATED LEGISLATION PASSED BY THE 52ND LEGISLATURE, 1ST SESSION, 2015, *After Executive Action*

INTRODUCTION

The historical significance of the 52nd Legislature began upon certification of the election results when, for the first time since 1952, the Republicans were elected to a majority in the House of Representatives. Meanwhile, Democrats maintained their majority in the Senate.

The new composition of the House heralded two other notable changes: first, the House elected Representative Don L. Tripp as its Speaker; second, many House committees were restructured and renamed.¹ Aside from the 2007 renaming of the Government & Urban Affairs Committee to the Health & Government Affairs Committee, the most recent substantial revisions to the House rules pertaining to committees occurred in the early 1990s.

Although these events warrant acknowledgement, the work of the Legislature, for which the primary responsibility each session is to develop and pass a budget for the succeeding fiscal year,

¹ House Resolution 1 (2015) established the following new House standing committees: Business & Employment, Government, Elections & Indian Affairs, Regulatory & Public Affairs, Safety & Civil Affairs, Ways & Means, and Health. Previous House standing committees that were changed or consolidated include: Business & Industry, Labor & Human Resources, Voters & Elections, Consumer & Public Affairs, Taxation & Revenue, and Health, Government & Indian Affairs.

continued much as it has in previous legislative sessions: the *General Appropriation Act of 2015* passed both chambers with ample time remaining in the session, ultimately being signed into law by the Governor; ideas for educational policy and finance, both old and new, were carefully considered and debated through the committee process; and, as a result, a substantial body of education-related legislation became law.

This memorandum and the attachments, developed by the staff of the Legislative Education Study Committee (LESC), review and summarize the public school FY 16 appropriations and education-related policy initiatives passed by the 2015 Legislature, after Executive action.

OVERVIEW OF CONTENTS

The contents of this memorandum include the following summaries of pertinent education-related topics:

- **FY 16 Recurring Appropriations to Education** ([pages 2-3](#));
- **Percentage to Public Schools and Higher Education** ([page 3](#));
- **Development of FY 16 Public School Support Appropriations** ([page 3](#));
- **FY 16 Public School Support and Related Appropriations, *General Appropriation Act of 2015*, CS/H 2&4a, Laws 2015, Ch. 101 [partial veto]** ([pages 4-6](#));
- **FY 15 Final and FY 16 Preliminary Unit Values** ([page 6](#));
- **Public School Capital Outlay** ([pages 6-7](#));
- **Legislation Endorsed by the LESC** ([pages 7-9](#));
- **Legislative Memorials** ([pages 9-11](#)); and
- **Other Public School-related Legislation** ([pages 11-14](#)).

The materials attached to this memo include:

- **[Table 1, Ten-year History of General Fund Recurring Appropriations, K-12 Public Schools & Higher Education \(FY 06 through FY 16\)](#)**;
- **[Table 2, FY 16 Public School Support and Related Appropriations](#)**;
- **[Selected Public Education-related Language, *General Appropriation Act of 2015*, CS/H 2&4a, Laws 2015, Ch. 101 \[partial veto\]](#)**;
- **[Table 3, History of the Unit Value \(1974-1975 Final to 2015-2016 Preliminary\)](#)**; and
- **[Table 4, Public School Capital Outlay Reauthorizations, CS/S 291a, with emergency clause, Laws 2015, Ch. 147 \[partial veto\]](#)**.

FY 16 RECURRING APPROPRIATIONS TO EDUCATION

In total, the *General Appropriation Act of 2015* (Laws 2015, Ch. 101) [partial veto], appropriated \$6.22 billion in recurring dollars from the General Fund, an increase of approximately \$69.6 million or 1.1 percent over FY 15 appropriation levels. This provides:

- over \$2.75 billion for public schools, an increase of over \$36.6 million or 1.3 percent over FY 15 appropriations; including:

- approximately \$2.51 billion to the State Equalization Guarantee (SEG), commonly referred to as the Public School Funding Formula, an increase of approximately \$27.0 million or 1.1 percent over the FY 15 SEG appropriation;
- nearly \$130.8 million in Categorical Public School Support, an increase of over \$3.7 million or 2.9 percent over the FY 15 appropriation;
- almost \$113 million to the Public Education Department (PED), an increase of nearly \$5.9 million or approximately 5.5 percent over the FY 15 appropriation; and
- approximately \$848.1 million for higher education, an increase of approximately \$9.6 million or 1.1 percent over FY 15 appropriations.

PERCENTAGE TO PUBLIC SCHOOLS AND HIGHER EDUCATION

Table 1, *Ten-year History of General Fund Recurring Appropriations, K-12 Public Schools & Higher Education*, outlines the recurring General Fund appropriations for public schools and higher education over a 10-year period and outlines the percentage to the total state government appropriation in each year's *General Appropriation Act*.

For FY 16, the combined percent to public schools and higher education is 57.9 percent, an increase of 0.1 percent from the FY 15 combined percentage, including:

- 44.3 percent for public schools (from 44.2 percent in FY 15, a 0.1 percent increase); and
- 13.6 percent for higher education (flat from 13.6 percent in FY 15).

DEVELOPMENT OF FY 16 PUBLIC SCHOOL SUPPORT APPROPRIATIONS

The primary responsibility of the Legislature each legislative session is to develop and pass a budget for the succeeding fiscal year. Doing so requires consideration of current and accurate data of revenues, expenditures, and potential liabilities.

Another departure from recent practice was the process for considering public school support. Whereas in prior sessions, the budget for public schools had begun in the House Education Committee (HEC) as House Bill 3, the *Education Appropriation Act*, during the 2015 session the House Appropriations and Finance Committee (HAFC) considered public school support along with other state appropriations through House Bill 2. The interests of HEC were still represented, however, as six of 17 HAFC members also served on HEC.

Additionally, HAFC and HEC held a joint meeting during the legislative session, at which the public school support appropriation requests from PED and recommendations from the Legislative Finance Committee (LFC) were presented.

FY 16 PUBLIC SCHOOL SUPPORT AND RELATED APPROPRIATIONS
General Appropriation Act of 2015
CS/H 2&4a, Laws 2015, Ch. 101 [partial veto]

Table 2, FY 16 Public School Support and Related Appropriations, summarizes the \$2.75 billion recurring and the \$8.75 million nonrecurring public school support and education-related appropriations included in the *General Appropriation Act of 2015 (GAA of 2015)*.

Recurring Appropriations
(Lines 1 through 85)

State Equalization Guarantee (SEG) Distribution
(Lines 1 through 29)

Designed to distribute operational funds to school districts and charter schools in a noncategorical manner, the SEG provides for local school district and charter school autonomy. More specifically, within statutory and regulatory guidelines, school districts and charter schools have the latitude to spend their dollars according to local priorities.

Among initiatives reflected in the \$2.51 billion appropriation to the SEG are:

- approximately \$6.7 million to increase the Level 1 teacher salary minimum by \$2,000 to \$34,000, up from \$32,000 as set by the *General Appropriation Act of 2014* (line 13);
- approximately \$12.6 million to support the implementation of an “at-risk unit increase” in the funding formula (line 15);
- a \$309,400 reduction for college and career readiness assessments, including ACT, SAT, PSAT, Explore, and Plan (line 17); and
- a \$6.0 million reduction for school year 2015-2016 Partnership for Assessment of Readiness for College and Career (PARCC) assessments, which was transferred to a categorical appropriation for “Standards-Based Assessments” (line 19).

Costs associated with “opening the doors” that are recognized in the \$2.5 billion appropriation to the SEG include:

- approximately \$5.2 million for enrollment growth units (line 3);
- a reduction of approximately \$2.9 million due to language in the *GAA of 2015* that prevents membership in new programs from generating enrollment growth units (line 4);
- approximately \$4.4 million for insurance increases (line 5); and
- \$5.0 million for fixed costs (line 6).

Categorical Public School Support
(Lines 32 through 48)

As the initiatives below will indicate, the following legislative appropriations support primarily statutorily created funds and distributions, among them:

- approximately \$97.8 million for school transportation, including various operational costs (lines 33-40);
- \$300,000 for out-of-state tuition (line 42);
- \$2.0 million for emergency supplemental (line 43 – also see line 89 for nonrecurring emergency support appropriations);
- \$1.0 million for dual credit instructional materials (line 44);
- \$6.0 million for standards-based test costs, an amount which corresponds to the SEG reduction for school year 2015-2016 PARCC assessments (line 45 – also see line 19 for the SEG reduction);
- \$21.9 million to the Instructional Material Fund (line 46 – see line 90 for nonrecurring instructional materials appropriation); and
- approximately \$1.8 million to the Indian Education Fund, which is supplemented with \$675,400 from Other State Funds, specifically the Indian Education Fund (line 47).

Related Appropriations (to PED)
(Lines 54 through 87)

Beginning with the nearly \$12.0 million appropriation for the PED operational budget (line 53), this section outlines public education-related appropriations directed to PED for distribution statewide.

In FY 16, PED will be responsible for distributing over \$101.0 million (lines 54-81) to support the following initiatives:

- Regional Education Cooperatives Operations;
- Advanced Placement;
- After-school and Summer Enrichment Programs;
- Black Student Union in Public Schools;
- Breakfast for Elementary Students;
- College Preparation, Career Readiness, and Dropout Prevention;
- Early Reading Initiative;
- Graduation, Reality, and Dual-role Skills (GRADS) Program;
- Interventions and Support for Students, Struggling Schools, and Parents;
- K-3 Plus Fund;
- New Mexico Cyber Academy;
- New Mexico-Grown Fresh Fruits and Vegetables;
- Parent Portal;
- Public Pre-kindergarten Fund;
- Science, Technology, Engineering and Math (STEM) Initiative;
- Stipends for Teachers in Hard-to-Staff Areas;
- Teacher and Administrator Evaluation System;
- Teacher and School Leader Preparation (see vetoed language);
- Teacher and School Leader Programs and Supports for Training, Preparation, Recruitment, and Retention;
- Teachers Pursuing Excellence; and
- Teaching Support for Low-income Students (see vetoed language).

Funding for the Mock Trials program, which had been funded through PED in previous years, was moved to the appropriation for the Attorney General.

Nonrecurring Appropriations (Lines 86 through 95)

In **Special Appropriations** (for expenditure in FY 15 or FY 16), the *GAA of 2015* includes \$8.75 million in General Fund dollars to PED, including:

- \$450,000 for costs associated with PED financial audits (line 87);
- \$2.0 million for teacher supplies (line 88);
- \$2.0 million in emergency support to school districts experiencing shortfalls (line 89 – also see line 42 for recurring emergency support dollars);
- \$3.1 million for instructional materials, which includes \$1.1 million from the separate account of the Appropriation Contingency Fund dedicated for educational reforms, commonly referred to as the “Education Lockbox”² (line 90 – also see line 46 for recurring appropriation to the Instructional Materials Fund); and
- \$1.2 million for legal fees that may be incurred by PED (line 91).

FY 15 FINAL AND FY 16 PRELIMINARY UNIT VALUES

For school year 2015-2016, the Secretary of Public Education set a preliminary unit value of \$4,027.75, an increase of \$20.00 or 0.5 percent from the final school year 2014-2015 unit value of \$4,007.75.

For informational purposes, **Table 3, *History of the Unit Value***, summarizes the changes to the unit value since 1974.

PUBLIC SCHOOL CAPITAL OUTLAY

For the first time since the 2011 legislative session, legislation authorizing capital outlay projects from Severance Tax Bonds did not pass. CS/S 159a, *Severance Tax Bond Projects*, was passed by the Senate and then amended and passed by the House; however, the Senate did not concur with the House amendments prior to the end of the session.

In recent years, the Severance Tax Bond authorization legislation has appropriated money from the Public School Capital Outlay Fund to purchase school buses statewide, and CS/S 159a would have provided \$6.2 million for that purpose. When the Legislature does not appropriate funds for school buses, the state falls behind on its school bus replacement schedule, potentially requiring larger appropriations in subsequent years.

If it may be considered as such, one positive aspect of not enacting CS/S 159a is that the resulting Severance Tax Bond capacity that is vacated may be utilized by the Public School

² Created by Laws 2004, Ch. 114, Section 12.

Capital Outlay Council for long- or short-term Supplemental Severance Tax Bonds to fund standards-based capital outlay awards for school district and charter school infrastructure. Not only does this mitigate potential losses in construction jobs, but it addresses capital deficiencies for school districts and charter schools that would otherwise have to delay projects until funding were available.

Table 4, *Public School Capital Outlay Reauthorizations, CS/S 291a, with emergency clause, Laws 2015, Ch. 147 [partial veto]*, summarizes public education-related capital outlay projects reauthorized or repurposed by the 2015 Legislature, after Executive action.

LEGISLATION ENDORSED BY THE LEGISLATIVE EDUCATION STUDY COMMITTEE

(~~Strikethrough~~ indicates Executive Veto)

During the 2014 interim, the LESC convened the LESC Charter Schools Subcommittee, comprising five senators and six representatives from the full committee. The LESC Charter Schools Subcommittee met each month from June to November, considering various issues related to charter school administration and finance, and submitted recommendations for endorsement of potential legislation to the full committee.

Also during the 2014 interim, the LESC revisited the recommendations of the 2012 and 2013 interim LESC subcommittees on public school transportation, which included members of the Legislature, solicited input from interested stakeholders, such as school administrators and private school bus contractors, and considered issues related to school transportation including:

- transportation safety for early childhood students;
- cross-district transportation for students of choice;
- school bus replacement schedules;
- allocations through the school transportation funding formula; and
- options to deal with high fuel costs.

At its final meeting of the 2014 interim, the LESC endorsed 15 measures for the consideration of the 2015 Legislature, which included five recommendations from the LESC Charter Schools Subcommittee and four recommendations from previous LESC subcommittees on public school transportation.

Of these measures: six bills were **enacted** into law; one bill was **passed** by the House of Representatives and the Senate but not signed into law; and eight bills **did not pass**.

Enacted

- **H 164a, *School Transportation Info Reporting (Laws 2015, Ch. 57)*, Rep. Roch** — amends the *Public School Finance Act* to change, beginning in FY 17, the reporting dates for school transportation funding of school districts and state-chartered charter schools to the second and third reporting dates of the prior year; and changes the distribution of allocations based on new reporting dates.

- **H 165, *Remove AYP References in School Code (Laws 2015, Ch. 58)*, Rep. Roch** — amends and repeals sections of the *Public School Code* to remove references to “Adequate Yearly Progress”; and makes technical changes.
- **S 128, *Public School Capital Outlay Building Needs (Laws 2015, Ch. 93)*, Sen. Stewart/Rep. Smith** — amends the *Public School Capital Outlay Act* to allow the Public School Capital Outlay Council to provide temporary annual allocations to school districts and charter schools to address building systems needs in existing buildings; defines building systems; and appropriates up to \$15.0 million of the Public School Capital Outlay Fund to be expended annually by the council for expenditure in FY 16 through FY 20 for a building system repair, renovation, or replacement initiative.
- **S 129, *School District Liens on Some School Buses (Laws 2015, Ch. 46)*, Sen. Stewart** — amends the *Public School Finance Act* to require school district liens on every contractor-owned school bus under contract to the school district.
- **S 130a, *Public School Lease Purchase Act Definitions (Laws 2015, Ch. 106)*, Sen. Stewart** — amends the *Public School Lease Purchase Act* to clarify the definition of “governing body,” and establishes the relationship between a governing body and a school district or a charter school in the acquisition of public school facilities pursuant to lease-purchase arrangements.
- **S 148aa, *Charter School Responsibilities (Laws 2015, Ch. 108)*, Sen. Stewart** — amends the *Public School Code* to define certain charter school terms and clarify certain responsibilities of charter school authorizers, charter school governing bodies, and charter schools.

Passed but Vetoed

- ~~**S 257a, *Charter Schools & Public Audit Changes [VETOED]*, Sen. Ivey Soto/Rep. Hall** — proposed to amend the *Audit Act* to include charter schools in the definition of agency and allow a component unit of a primary government entity to request, at the component unit’s discretion, a separate audit from the primary entity; and require the auditor for the primary government entity to accept the audit performed by the auditor selected by the component unit.~~

Did not Pass

- **H 73, *School Bus Security & GPS Systems*, Rep. CH Trujillo** — proposed to appropriate \$889,000 from the General Fund to PED for expenditure in FY 16 to provide for installation and operation of security and Global Positioning System devices for school buses.
- **H 74, *Public Education Commission as Independent*, Rep. CH Trujillo** — proposed to: amend the *Public Education Department Act* to remove the administrative attachment of the Public Education Commission (PEC) to PED; establish the PEC as an independent

entity; provide for PEC rulemaking authority and staff support; grant the PEC the authority to make chartering authority decisions to grant, renew, deny, or revoke the charter of a state-chartered charter school; and appropriate \$1.1 million from the General Fund to the PEC for expenditure in FY 16 to carry out the provisions of the act.

- **H 163aa, *School Use of Social Security Numbers*, Rep. Roch** — proposed to amend the *Public School Code* to exclude the collection and distribution of social security numbers in the educational data system effective July 1, 2016.
- **H 166, *Charter School Transportation Agreements*, Rep. Roch** — proposed to amend the *Public School Code* to require charter schools to establish transportation agreements with school districts to transport charter school students if they wish to provide transportation services.
- **S 201, *School Bus Fuel Gross Receipts*, Sen. Sapien** — proposed to create a new section of the *Gross Receipts and Compensating Tax Act* to provide for an exemption from the gross receipts tax for receipts for the sale of fuel for school buses; and to provide for an exemption from the compensating tax for fuel used for school or school-related bus transportation of students.
- **S 229, *Remove Requirement for Certain School Classes*, Sen. Kernan** — proposed to remove the requirement that a student must earn one unit in an Advanced Placement or honors course, a dual credit course, or a distance learning course for graduation.
- **S 230, *Breakfast after the Bell Name & Changes*, Sen. Kernan** — proposed to rename the Breakfast after the Bell Program and allows schools to provide breakfast before or after the instructional day has begun.

LEGISLATIVE MEMORIALS

HOUSE MEMORIALS

Directed to the LESC

HM 6, *College Students as 3rd Grade Reading Mentors*, Rep. J. Trujillo — requests that the LESC, in cooperation with PED and the Higher Education Department (HED), establish a work group to study the feasibility of creating a program in which college students serve as reading mentors and tutors to students in grade 3; describes the membership of the work group; and requests that the LESC, together with PED and HED, report the results of the study and any recommendations to the Legislature and the Governor before the 2016 legislative session.
[Identical to SM 2]

Potential Report to LESC

HM 14, *Establish High-Quality Career Pathways*, Rep. Stapleton — requests that HED, PED, and the Workforce Solutions Department collaborate to establish high-quality career pathways

that bridge high school curricula, postsecondary studies, and 21st Century job opportunities for all New Mexico students and report their findings and progress to the LESC by November 1, 2015. [Identical to SM 105]

HM 21, *NM Private Sector Education Partnerships*, Rep. Garcia Richard — recognizes private-sector organizations for their involvement, commitment, and voluntary contributions to science, technology, engineering, and mathematics education partnerships; and requests that the organizations report their progress to the LESC during the 2015 interim. [Identical to SM 30]

HM 83a, *High School Math Education Task Force*, Rep. Hall — requests that PED convene a High School Mathematics Education Task Force; prescribes the membership of the task force, including representatives from the Math and Science Advisory Council; requests that the task force review policies regarding Algebra II waivers; requests other studies by PED and HED; and requests that PED, HED, and the task force report their findings to the LESC and any other appropriate interim committees each November 1 from 2015 through 2017. [Related to SM 90, which did not pass]

HM 84a, *At-Risk Youth Design Education Programs*, Rep. A. Maestas — requests that PED explore funding options for the creation of design education programs for at-risk youth and present its findings to the LESC and the LFC before December 1, 2016. [Related to SM 60, which did not pass]

Other Education-Related Memorials

HM 61, *School Nurse Task Force*, Rep. Herrell — requests that the Secretary of Health and the Secretary of Public Education to create a school nurse task force to propose New Mexico school nurse staffing models, make recommendations to the LFC and the Legislative Health and Human Services Committee to address any possible disparities caused by a lack of nursing services to students, and develop a plan to address those disparities by October 1, 2015.

HM 125, *Study IPRA Requests to Schools*, Rep. K. Martinez — requests that the LFC convene a work group with a prescribed membership to study and make recommendations to address the administrative and fiscal burdens of complying with *Inspection of Public Records Act* requests made to public postsecondary educational institutions and public school districts and report to the LFC and the Courts, Corrections and Justice Committee by November 1, 2015.

SENATE MEMORIALS

Directed to the LESC

SM 2, *College Students as 3rd Grade Reading Mentors*, Sen. Lopez — requests that the LESC, in cooperation with PED and HED, establish a work group to study the feasibility of creating a program in which college students serve as reading mentors and tutors to students in grade 3; describes the membership of the work group; and requests that the LESC, together with PED and HED, report the results of the study and any recommendations to the Legislature and the Governor before the 2016 legislative session. [Identical to HM 6]

SM 135, *Study School Funding Issues*, Sen. Pinto — requests that the LESC and the LFC, together with PED, the Department of Finance and Administration, the Public School Capital Outlay Council, and representatives of stakeholder groups study the provisions of federal and state laws relating to federal impact aid and other federal payment-in-lieu-of-taxes provisions; the public school funding formula size adjustment factor relating to population centers and rural, isolated schools in the same school district; the effect of federal “sequestration” of funds; relevant changes in federal and state law since implementation of the public school capital outlay standards-based process; and report the results of the study to the LESC, the LFC, and the Governor before the 2016 legislative session. [Identical to HM 133, which did not pass]

Potential Report to LESC

SM 30, *NM Private-Sector Education Partnerships*, Sen. Stewart — recognizes private-sector organizations for their involvement, commitment, and voluntary contributions to science, technology, engineering, and mathematics education partnerships; and requests that the organizations report their progress to the LESC during the 2015 interim. [Identical to HM 21]

SM 105, *Establish High-Quality Career Pathways*, Sen. Sapien — requests that HED, PED, and the Workforce Solutions Department collaborate to establish high-quality career pathways that bridge high school curricula, postsecondary studies, and 21st Century job opportunities for all New Mexico students and report their findings and progress to the LESC by November 1, 2015. [Identical to HM 14]

SM 130, *Study Math Teacher Competency Update*, Sen. Kernan — requests that the Secretary of Public Education study the feasibility of updating required competencies in mathematics for entry-level elementary teachers and present a report on the progress of the study to the LESC prior to December 1, 2015.

OTHER PUBLIC SCHOOL-RELATED LEGISLATION

(~~Strikethrough~~ indicates Executive Veto)

H 53aa, *No Compelled Medication Use For Students* (Laws 2015, Ch. 51), Rep. Espinoza — adds a new section to the *Public School Code* to prohibit school personnel licensed by PED from compelling students to use psychotropic medications; and amends a section of the *Children’s Code* to provide that a parent’s, guardian’s, or custodian’s refusal to consent to administration of a psychotropic medication to a child is not grounds for taking a child into protective custody.

***H63a, *NMFA Public Project Revolving Fund Projects* (Laws 2015, Ch. 25), Rep. Lundstrom** — authorizes the New Mexico Finance Authority to make loans of greater than \$1.0 million for public projects from the Public Project Revolving Fund, and names school districts and charter schools that are eligible for loans for specified purposes, including the Estancia Valley Classical Academy in Torrance County.

H 121a, *Use of Nurse Educators Fund* (Laws 2015, Ch. 41), Rep. McMillan — allows any registered nurse who is or will be a nurse educator to use the Nurse Educators Fund to obtain a higher degree. [Identical to S 341a]

~~**H 146aa, *Instructional Material Definitions & Changes* [VETOED], Rep. Stapleton** — amends the *Instructional Material Law* to modify the definition of “instructional material” to include electronic media content but to exclude electronic devices and hardware; amends the timing for allocation of funds; and eliminates the provision requiring textbooks for each student.~~

~~**H 156a, *Innovations in Teaching Act* [VETOED], Rep. McCamley** — adds new sections to the *Public School Code* to create the *Innovations in Teaching Act*; creates the *Innovations in Teaching Program*; provides powers and duties; encourages teachers to implement innovative pedagogical approaches and strategies in their classrooms; grants a waiver to participating teachers and their public schools from the use of the results of standards-based assessments in their teacher evaluations for two years; and provides for an application, reporting, and evaluation process.~~

H 178a, *Career Technical Education Courses & Terms* (Laws 2015, Ch. 60), Rep. Stapleton — amends the *Public School Code* to allow students to receive credit for certain career technical education courses as electives; defines certain career technical education terms; and allows districts to choose whether students who successfully complete an industry-recognized credential, certificate, or degree may receive additional weight in the calculation of their grade point average.

H 236aa, *Increase Severance Tax Permanent Fund Inflows* (Laws 2015, Ch. 63), Rep. Harper/Sen. Cisneros — amends a section of the *Severance Tax Bonding Act* to reduce the percentage of prior-year or estimated current-year annual deposits into the Severance Tax Bonding Fund that may be used to service debt for severance tax bonds and supplemental severance tax bonds from 50 percent to 47.6 percent and from 45 percent to 38.6 percent, respectively, over multiple years; and adjusts the percentages of severance tax bonding capacity allocated for tribal infrastructure projects and colonias infrastructure projects.

H 282, *Higher Ed Common Course Naming & Numbering* (Laws 2015, Ch. 29), Rep. Montoya — amends the *Post-Secondary Education Articulation Act* by requiring HED to establish a common course naming and numbering system for lower-division courses by August 1, 2017.

H 318a, *Education Counselor Salary Eligibility* (Laws 2015, Ch. 103), Rep. Pacheco — amends the *School Personnel Act* to include counselors in the Level 3-A licensure salary structure.

H 403aa, *Public Employee Leave Donation Policies* (Laws 2015, Ch. 81), Rep. James — creates a new section of law to provide for public employers to implement a leave donation policy, to include sick or annual leave, for employees with medical emergencies.

H 427, *Resident Tuition for Veteran Family Members* (Laws 2015, Ch. 151), Rep. Garcia Richard — amends laws pertaining to postsecondary institutions to entitle a spouse or child of a veteran of the armed forces to in-state tuition and fees if the spouse or child is eligible for educational benefits under federal law.

H 460, *Study Lottery Tuition Recipient Mentoring* (Laws 2015, Ch. 84), Rep. Ruiloba — amends and adds a new section of the *Legislative Lottery Tuition Scholarship Act* to establish the

Lottery Student Community Outreach pilot project as a six-year study to determine the efficacy of having Legislative Lottery Tuition Scholarship students perform community outreach and mentor public school students and other college students; requires HED to provide interim and final reports annually to the Governor and the Legislature; and allows participant organizations to actively seek public and private grants and donations for any costs of the pilot project.

***H 479aa, *Continue K-3 Plus Program for Some Schools (Laws 2015, Ch. 75)*, Rep. Adkins** — amends the *Public School Code* to allow schools with a D or F school grade in the previous year, or schools that improved their grade rating through the K-3 Plus program, to apply to continue with the program for school year 2015-2016.

CS/S 8, *Charter School Education Tech Equipment (Laws 2015, Ch. 68)*, Sen. Cisneros/ Rep. Gonzales — amends the *Education Technology Equipment Act* to make locally chartered and state-chartered charter schools eligible, under certain conditions, to receive a prorated share of education technology equipment purchased by a school district through a lease-purchase arrangement pursuant to the act; allows local school boards to submit to local voters the question of creating debt; and requires local school boards to abide by the majority vote on the question.

~~**S 105, *County Gross Receipts for School Improvements (VETOED)*, Sen. Martinez** — creates a new section of the *County Local Option Gross Receipts Taxes Act* to allow a county to impose a special county education gross receipts tax dedicated to payment of bonds for public school capital outlay improvements in qualifying counties.~~

~~**S 114a, *Local Gov't Special Fuels Taxes (VETOED)*, Sen. Griggs** — amends the *County and Municipal Gasoline Tax Act* to include and allow local option taxation on special fuels, which includes diesel fuel, at a maximum rate of \$0.02 per gallon; specifies the use of the proceeds of the tax; expands an authorization to impose a tax on gasoline to all municipalities and counties; and repeals a section of that act requiring that any ordinance imposing a county or municipal gasoline tax conform to the deductions, refunds, and credits contained in the *Gasoline Tax Act*.~~

FL/S 153&126a, *Streamline Teacher Administrative Licensure (Laws 2015, Ch. 74)*, Sen. Beffort — amends the *School Personnel Act* to adjust the requirements for applicants to qualify for Level 3-B licensure, shortens the length of the Level 3-B license from nine years to five years, and sets the minimum salary for a licensed school principal or assistant principal at \$50,000 per year multiplied by the applicable responsibility factor.

CS/CS/S 208, *Fraud Against Taxpayers Definitions (Laws 2015, Ch. 128)*, Sen. Payne — amends the *Fraud Against Taxpayers Act* to clarify that the act applies to political subdivisions and charter schools as well as the state; and adds the definition of a political subdivision.

S 329aa, *School Licensure Reciprocity Requirements (Laws 2015, Ch. 97)*, Sen. Kernan — amends the *School Personnel Act* to change minimum requirements for persons seeking licensure or reciprocity in elementary, special, early childhood, or secondary education; and increases the student teaching requirement prior to initial licensure effective July 1, 2016.

S 341a, *Use of Nurse Educators Fund For Degree (Laws 2015, Ch. 47)*, Sen. Campos — allows any registered nurse who is or will be a nurse educator to use the Nurse Educators Fund to obtain a higher degree. [Identical to H 121a]

S 357, High School Equivalency Credentials (Laws 2015, Ch. 122), Sen. Ivey-Soto/ Rep. Espinoza — replaces all terms relating to the General Education Development credential with the term “High School Equivalency Credential” throughout state law.

~~**CS/S 379a, Child Care Assistance Accountability Act [POCKET VETO], Sen. Sapien/ Rep. Larrañaga** — adds a new section to the *Children’s Code* to create the *Child Care Assistance Accountability Act*; requires the Children, Youth and Families Department (CYFD) to establish the *Child Care Assistance Accountability* program; requires CYFD to convene a prescribed work group to develop an outcomes measurement plan to monitor outcomes for children and families receiving services through child care assistance programs; requires the plan to be submitted to the Legislature, the Governor, and Early Learning Advisory Council by December 31, 2015, with a report submitted annually thereafter beginning December 31, 2016; and provides for rulemaking.~~

S 381, Carlos Vigil Memorial Act & Bullying (Laws 2015, Ch. 132), Sen. Candelaria — creates the *Carlos Vigil Memorial Act* and the Carlos Vigil Memorial Board to award grants to programs and services to eradicate bullying statewide; prescribes the board membership, creates the Eradicate Bullying Fund, and appropriates money in the fund to the Board of Regents of the University of New Mexico for disbursement to grant recipients selected by the board.

S 446a, Interstate Distance Education Act (Laws 2015, Ch. 23), Sen. Sapien — amends the provisions for higher education institutions to create the *Interstate Distance Education Act* to facilitate student participation in distance education; defines “state authorization reciprocity agreement”; authorizes HED to establish and oversee the interstate education program; requires HED to provide an application form for postsecondary institution participation in the program; requires HED to monitor compliance of program participation; and exempts out-of-state proprietary schools from participation in the program.

The final attachment to this memo summarizes all public school-related legislation that **passed** in the 2015 regular session.

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

xc: Governor Susana Martinez
Lieutenant Governor John Sanchez
Hanna Skandera, Secretary of Public Education
Dr. Barbara Damron, Secretary of Higher Education
Members of the Public Education Commission
Presidents of Local School Boards
Public School District Superintendents
State-chartered Charter School Administrators
Other Interested Parties

TABLE 1
TEN-YEAR HISTORY OF GENERAL FUND RECURRING APPROPRIATIONS
K-12 PUBLIC SCHOOLS & HIGHER EDUCATION
(FY 06 through FY 16)
(dollars in thousands)

Fiscal Year	Total Appropriation	K-12 Public Schools*	Increase/(Decrease) <i>(from prior year)</i>	Percent to Public Schools	Higher Education <i>(in thousands)</i>	Increase/(Decrease) <i>(from prior year)</i>	Percent to Higher Education	Percent to Public Schools and Higher Education
2006	\$4,708,633.3	\$2,131,901.6	\$139,044.9	45.3%	\$714,951.0	\$44,830.3	15.2%	60.5%
2007	\$5,113,148.0	\$2,293,467.1	\$161,565.5	44.9%	\$761,956.8	\$47,005.8	14.9%	59.8%
2008	\$5,674,955.6	\$2,484,677.9	\$191,210.8	43.8%	\$846,341.5	\$84,384.7	14.9%	58.7%
2009 (adjusted for solvency) ¹	\$5,862,403.0	\$2,538,686.6	\$54,008.7	43.3%	\$862,776.1	\$16,434.6	14.7%	58.0%
2010 (adjusted for solvency) ²	\$5,269,660.0	\$2,276,079.3	(\$262,607.3)	43.2%	\$816,389.9	(\$46,386.2)	15.5%	58.7%
2011 (after sanding of 0.544% and 3.244% reduction) ³	\$5,202,846.8	\$2,339,263.2	\$63,183.9	45.0%	\$762,281.8	(\$54,108.1)	14.7%	59.6%
2012	\$5,416,684.6	\$2,366,012.0	\$26,748.8	43.7%	\$733,343.9	(\$28,937.9)	13.5%	57.2%
2013	\$5,635,478.0	\$2,455,341.4	\$89,329.4	43.6%	\$757,716.6	\$24,372.7	13.4%	57.0%
2014 (estimated)	\$5,878,473.8	\$2,567,475.9	\$112,134.5	43.7%	\$796,480.9	\$38,764.3	13.5%	57.2%
2015 (estimated, after sanding of 0.275 percent)	\$6,148,921.6	\$2,715,287.6	\$147,811.7	44.2%	\$838,565.1	\$42,084.2	13.6%	57.8%
2016 (estimated)	\$6,218,314.1	\$2,752,113.1	\$36,825.5	44.3%	\$848,115.6	\$9,550.5	13.6%	57.9%

* Beginning in FY 06, public education includes public school support, funding for the Public Education Department, and special projects. Prior to FY 06, public education also included General Fund appropriations to the School for the Blind and Visually Impaired and the School for the Deaf.

FY 10 appropriation to higher education does not include \$13,400.0 appropriation to the higher education formula from the federal ARRA.

¹ The FY 09 appropriation for public education does not include a one-time \$35,753.6 appropriation to the State Equalization Guarantee (SEG) from the "education lockbox."

FY 11 appropriation to higher education does not include \$10,937.5 appropriation to the higher education formula from the federal ARRA.

² The FY 10 appropriation for public education does not include a one-time \$210,200.0 appropriation to the SEG from federal *American Recovery and Reinvestment Act of 2009* (ARRA).

FY 15 appropriation to higher education does not include the \$11,500.0 appropriation for the Legislative Lottery Scholarship Program.

³ The FY 11 appropriation for public education does not include a one-time \$23,898.0 appropriation to the SEG from federal ARRA dollars. However, the FY 11 appropriation does reflect the restoration in General Fund dollars of \$164,700.0 that was supplanted in the SEG with federal ARRA dollars in FY 10.

TABLE 2
FY 16 PUBLIC SCHOOL SUPPORT AND RELATED APPROPRIATIONS

(dollars in thousands)

~~Strikethrough~~ indicates Executive Veto

	School Year 2014-2015 Final Unit Value = \$4,007.75 School Year 2015-2016 Preliminary Unit Value = \$4,027.75	FY 15 Appropriation Laws 2014, Ch. 63	FY 16 Appropriation Laws 2015, Ch. 101
1	PROGRAM COST	\$2,426,395.8	\$2,544,811.0
2	ENROLLMENT GROWTH	\$11,154.8	
3	Enrollment Growth Units		\$5,171.7
4	Eliminate Enrollment Growth for New Programs		(\$2,924.2) ¹
5	INSURANCE Increases	\$13,500.0	\$4,351.0
6	FIXED COSTS	\$5,827.8	\$5,000.0
7	0.75 percent ERB Retirement Contribution Increase (Final Year in FY 15)	\$11,554.6	
8	Compensation Increase		
9	3.0 percent average increase for all certified and non-certified school personnel	\$56,042.9	
10	3.0 percent additional average increase for licensed educational assistants	\$2,651.9	
11	Teacher Minimums		
12	FY 15: Increase Level 1, Level 2, and Level 3 Minimum Teacher Salaries by \$2,000 [partial language veto]	\$10,000.0	
13	FY 16: Increase Level 1 Minimum Teacher Salaries to \$34,000		\$6,670.0 ²
14	Funding Formula Changes		
15	At-Risk Unit Increase (Laws 2014, Ch. 55) [appropriation veto for FY 15]	\$15,222.0	\$12,561.0
16	Micro District Size Adjustment (Laws 2014, Ch. 57)	\$5,761.6	
17	College and Career Readiness (ACT, SAT, PSAT, Explore, Plan)		(\$309.4)
18	H4 Science Retest - New Mexico Standards Based Assessment (NMSBA)	\$264.0	
19	PARCC School Year 2015-2016 Assessments (see categorical appropriation on line 45)		(\$6,000.0)
20	Reinstitute Statutory Class and Teaching Loads	\$6,000.0	
21	Statewide Formative Assessments (Short Cycle Grades 4-10)	\$1,000.0	
22	Teacher Mentorship Program for Beginning Teachers	\$1,500.0	
23	FY 15 Section 11 Adjustment -- 0.275 percent Sanding Reduction	(\$6,842.4)	
24	PROGRAM COST	\$2,544,811.0	\$2,569,331.1
25	Dollar Difference Over Previous Year's Appropriation	\$118,415.2	\$24,520.1
26	Percent Change	4.9%	1.0%
27	LESS PROJECTED CREDITS	(\$62,000.0)	(\$56,000.0)
28	LESS OTHER STATE FUNDS (from driver's license fees)	(\$1,500.0)	(\$5,000.0)
29	STATE EQUALIZATION GUARANTEE (after Executive Action)	\$2,481,311.0	\$2,508,331.1
30	Dollar Difference Over Previous Year's Appropriation	\$119,415.2	\$27,020.1
31	Percent Change	5.1%	1.1%
32	CATEGORICAL PUBLIC SCHOOL SUPPORT		
33	TRANSPORTATION		
34	Maintenance and Operations	\$75,031.7	\$77,113.5
35	Fuel	\$14,659.2	\$11,786.2
36	0.75 percent ERB Retirement Contribution Increase (Final Year in FY 15)	\$372.2	
37	Compensation Increase (3.0 percent average in FY 15)	\$1,772.0	
38	Rental Fees (Contractor-owned buses)	\$10,235.7	\$8,865.8
39	FY 15 Section 11 Adjustment -- 0.275 percent Sanding Reduction	(\$280.7)	
40	TOTAL TRANSPORTATION	\$101,790.1	\$97,765.5
41	SUPPLEMENTAL DISTRIBUTIONS		
42	Out-of-state Tuition	\$299.2	\$300.0
43	Emergency Supplemental (FY 16: see line 89 for additional nonrecurring appropriation)	\$1,994.5	\$2,000.0
44	Dual Credit Instructional Materials	\$854.6	\$1,000.0
45	Standards Based Test Costs		\$6,000.0
46	INSTRUCTIONAL MATERIAL FUND (see line 90 for additional special appropriations for FY 15 and FY 16)	\$20,308.6	\$21,900.0
47	INDIAN EDUCATION FUND (FY 15 appropriation supplemented with \$675,400 from Indian Education Fund)	\$1,819.6	\$1,824.6 ^{3,4}
48	TOTAL CATEGORICAL	\$127,066.6	\$130,790.1
49	TOTAL PUBLIC SCHOOL SUPPORT	\$2,608,377.6	\$2,639,121.2
50	Dollar Difference Over Previous Year's Appropriation	\$109,635.9	\$30,743.6
51	Percent Change	4.4%	1.2%

*Footnotes refer to selected language.

TABLE 2
FY 16 PUBLIC SCHOOL SUPPORT AND RELATED APPROPRIATIONS
(dollars in thousands)

~~Strikethrough~~ indicates Executive Veto

	School Year 2014-2015 Final Unit Value = \$4,007.75 School Year 2015-2016 Preliminary Unit Value = \$4,027.75	FY 15 Appropriation Laws 2014, Ch. 63	FY 16 Appropriation Laws 2015, Ch. 101
52	RELATED APPROPRIATIONS: RECURRING (to PED unless otherwise noted)		
53	PUBLIC EDUCATION DEPARTMENT		
54	Regional Education Cooperatives (REC) Operations	\$935.6	\$935.6
55	Advanced Placement	\$747.9	\$875.0
56	After-school and Summer Enrichment Programs	\$1,097.0	\$350.0 ⁵
57	Black Student Union in Albuquerque Public Schools		\$30.0
58	Breakfast for Elementary Students	\$1,919.3	\$1,924.6
59	College Preparation, Career Readiness, and Dropout Prevention	\$2,901.0	\$2,901.0
60	Early Reading Initiative (FY 15 language: Prioritize Funding to At-risk Students/Schools)	\$14,460.1	\$15,000.0
61	Graduation, Reality, And Dual-role Skills (GRADS) Program - Teen Pregnancy Prevention	\$199.5	\$200.0
62	Interventions and Support for Students, Struggling Schools, and Parents	\$10,471.1	\$10,500.0 ⁶
63	K-3 Plus Fund	\$21,223.0	\$23,700.0
64	Mock Trials Program	\$111.8	
65	New Mexico Cyber Academy	\$887.6	\$250.0 ⁷
66	New Mexico-Grown Fresh Fruits and Vegetables	\$239.3	\$364.3
67	Parent Advocacy Project (FY 15 language veto: Albuquerque Public Schools)	\$99.7	
68	Parent Portal	\$1,196.7	\$1,196.7
69	Public Pre-kindergarten Fund	\$19,236.6	\$21,000.0 ⁸
70	Reading Support (FY 15 language veto: in Dona Ana County)	\$24.9	
71	School Leader Preparation (Next Generation) (FY 16: see line 76)	\$2,991.8	
72	School Teacher Preparation (Next Generation) (FY 16: see line 76)	\$1,645.5	
73	Science, Technology, Engineering and Math (STEM) initiative	\$1,994.5	\$2,400.0
74	Stipends for Teachers in Hard-to-Staff Areas		\$1,500.0
75	Teacher and Administrator Evaluation System	\$4,986.3	\$5,000.0
76	Teacher and School Leader Preparation (FY 15: see lines 71 and 72)		\$4,145.5
77	Teacher and School Leader Programs and Supports for Training, Preparation, Recruitment, and Retention	\$7,230.1	\$7,250.0 ⁹
78	Teacher Mentorship	\$24.9	
79	Teachers Pursuing Excellence		\$1,000.0 ¹⁰
80	Teaching Support for Low-income Students	\$498.6	\$500.0
81	Tibbetts Middle School, Farmington Municipal Schools-	\$99.7	
82	TOTAL RELATED APPROPRIATIONS: RECURRING TO PED	\$107,092.0	\$112,991.9
83	GRAND TOTAL	\$2,715,469.6	\$2,752,113.1
84	Dollar Difference Over Previous Year's Appropriation	\$147,949.4	\$36,643.5
85	Percent Change	5.8%	1.3%
86	SECTION 5. SPECIAL APPROPRIATIONS: NONRECURRING (to PED unless otherwise noted)		
87	Audit Costs		\$450.0
88	Teacher Supplies		\$2,000.0
89	Emergency Support to School Districts Experiencing Shortfalls (FY 16: see line 43 for recurring appropriation)	\$1,000.0	\$2,000.0
90	Instructional Materials (FY 16: see line 46 for recurring appropriation)	\$3,500.0	\$3,100.0 ¹¹
91	Legal fees		\$1,200.0
92	Maintenance of Effort for Special Education	\$3,000.0	
93	Nonprofit Educational Association of Interscholastic Activities in New Mexico	\$100.0	
94	Teacher Professional Development Fund	\$2,500.0	
95	TOTAL RELATED APPROPRIATIONS: NONRECURRING	\$10,100.0	\$8,750.0

*Footnotes refer to selected language.

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE
GENERAL APPROPRIATION ACT OF 2015
CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])
~~Strikethrough~~ indicates Executive Veto

SELECTED LANGUAGE NOTED AS FOOTNOTES TO TABLE 2

1. For the 2015-2016 school year, the general fund appropriation to the state equalization guarantee distribution includes sufficient funding for school districts and charter schools to implement a new formula-based program. Those school districts and charter schools shall use current-year first reporting date membership in the calculation of program units for the new formula-based program. Increased charter school enrollment pursuant to an authorizer-approved increase in an existing enrollment cap shall be considered a new formula-based program. Notwithstanding the provisions of Section 22-8-23.1 NMSA 1978 or other substantive law, any membership in a new formula-based program shall not be included in membership for the purposes of calculating enrollment growth pursuant to Section 22-8-23.1 NMSA 1978.
2. The general fund appropriation to the state equalization guarantee distribution includes sufficient funds to increase the minimum salary of level one teachers to thirty-four thousand dollars (\$34,000). Notwithstanding the provisions of the School Personnel Act or other substantive law, the secretary of public education shall ensure that no full-time level one teacher receives a base salary less than thirty-four thousand dollars (\$34,000) during fiscal year 2016.
3. The other state funds appropriation [of \$675,400 to the Indian education fund, which supplements the \$1,824,600 general fund appropriation] is from the Indian education fund.
4. The general fund appropriation to the Indian education fund of the public education department includes four hundred thousand dollars (\$400,000) for a nonprofit organization with ~~the primary purpose of recruiting recent college graduates and professionals who have~~ a record of demonstrated achievement to teach in low-income urban and rural public schools to provide teaching support in schools with a high proportion of Native American students.
5. Notwithstanding the provisions of Sections 22-2C-10, 22-15A-12, 22-8-45 and 22-2C-9 NMSA 1978 or other substantive law, the other state funds appropriation [of \$750,800, which supplements the \$350,000 general fund appropriation] in Subparagraph (c) to the public education department for after school and summer enrichment programs includes one hundred thirteen thousand nineteen dollars (\$113,019) from the schools in need of improvement fund, sixty-four thousand two hundred eighty-seven dollars (\$64,287) from the educational technology deficiency correction fund, five hundred six thousand six hundred thirty-five dollars (\$506,635) from the teacher professional development fund and sixty-six thousand eight hundred sixty-five dollars (\$66,865) from the incentives for school improvement fund.
6. Notwithstanding the provisions of Section 22-8-44 NMSA 1978 or other substantive law, the other state funds appropriation [of \$2,000,000, which supplements the \$10,500,000 general fund appropriation] in Subparagraph (t) to the public education department for

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE
GENERAL APPROPRIATION ACT OF 2015
CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])
~~Strikethrough~~ indicates Executive Veto

interventions and support for students, struggling schools and parents is from the educator licensure fund.

7. Notwithstanding the provisions of Section 22-8-29.6 NMSA 1978 or other substantive law, the other state funds appropriation [of \$250,000, which supplements the \$250,000 general fund appropriation] in Subparagraph (g) to the public education department for the New Mexico cyber academy is from the transportation emergency fund.
8. The internal service funds/interagency transfers appropriation [of \$3,500,000, which supplements the \$21,000,000 general fund appropriation] in Subparagraph (e) to the public pre-kindergarten fund of the public education department is from the federal temporary assistance for needy families block grant.
9. Notwithstanding the provisions of Sections 22-2D-5, 22-15-8.2, 22-15C-3 and 22-8-29.6 NMSA 1978 or other substantive law, the other state funds appropriation [of \$1,750,000, which supplements the \$7,250,000 general fund appropriation] in Subparagraph (r) to the public education department for teacher and school leader programs and supports for training, preparation, recruitment and retention includes five hundred fifty-six thousand seven hundred seventy-two dollars (\$556,772) from the family and youth resource fund, one hundred fifty-five thousand five hundred sixty-four dollars (\$155,564) from the reading materials fund, one hundred twenty-five thousand two hundred nine dollars (\$125,209) from the school library material fund and nine hundred twelve thousand four hundred fifty-five dollars (\$912,455) from the transportation emergency fund.
10. Notwithstanding the provisions of Section 22-8-44 NMSA 1978 or other substantive law, the other state funds appropriation [of \$1,000,000, which supplements the \$1,000,000 general fund appropriation] in Subparagraph (a) to the public education department for teachers pursuing excellence is from the educator licensure fund.
11. The general fund appropriation [to classroom teachers to purchase classroom supplies] includes one million one hundred thousand dollars (\$1,100,000) 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.

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE
GENERAL APPROPRIATION ACT OF 2015
CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])
~~Strikethrough~~ indicates Executive Veto

OTHER SELECTED LANGUAGE
(not included as footnotes to Table 2)

(Page and line references refer to enrolled and engrossed copy of Laws 2015, Ch. 101)

Section 4, F: HEALTH , HOSPITALS AND HUMAN SERVICES

Human Services Department: *Page 96, lines 15-23* [education-related language **bolded**]

The federal funds appropriations to the income support program of the human services department include thirty million five hundred twenty-seven thousand five hundred dollars (\$30,527,500) from the federal temporary assistance for needy families block grant for transfer to the children, youth and families department for childcare programs, four million five hundred thousand dollars (\$4,500,000) for home visiting, **thirteen million six hundred thousand dollars (\$13,600,000) for pre-kindergarten**, and nine hundred thousand dollars (\$900,000) for a pilot supportive housing project.

The federal funds appropriations to the income support program of the human services department include three million five hundred thousand dollars (\$3,500,000) from the federal temporary assistance for needy families block grant for transfer to the public education department for pre-kindergarten.

Department of Health: *Page 110, lines 17-19* [language emphasis **bolded**]

The general fund appropriation to the public health program of the department of health in the contractual services category includes fifty thousand dollars (\$50,000) to provide school-based health services ~~at West Mesa high school in Albuquerque.~~

Section 4, I: OTHER EDUCATION

Public Education Department: *Page 140, line 20 to Page 142, line 24*

Breakfast for Elementary Students (refer to line 58 in appropriations table)

Notwithstanding the provisions of Section 22-13-13.2 NMSA 1978 or other substantive law, for the 2015-2016 school year, a school district or charter school required to provide breakfast to elementary students pursuant to Section 23-13-13.2 NMSA 1978 or receiving a distribution from the appropriation in Subparagraph (b) may provide breakfast before the instructional day begins.

Public Pre-kindergarten fund (refer to line 69 in appropriations table)

Notwithstanding the provisions of Article 23 of Chapter 32A NMSA 1978 or other substantive law, the appropriations in Subparagraph (e) to the public pre-kindergarten fund of the public education department include sufficient funding to continue the established extended-day pre-kindergarten pilot program during the 2015-2016 school year.

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE

GENERAL APPROPRIATION ACT OF 2015

CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])

~~Strikethrough~~ indicates Executive Veto

K-3 Plus Fund (refer to line 63 in appropriations table)

In setting the reimbursement amount for the summer 2015 k-3 plus program, the secretary of public education shall use the final unit value set for the 2014-2015 school year as the basis for funding June, July and August 2015 k-3 plus programs.

Notwithstanding the provisions of Sections 22-13-28 and 22-13-28.1 NMSA 1978 or other substantive law, the public education department may make 2015 k-3 plus awards to any school that received a k-3 plus award for the 2014 program that no longer qualifies because it received a school grade of A, B or C during the 2013-2014 or 2014-2015 school years and may make k-3 plus awards to schools or school districts that implement a year-round instructional calendar to provide k-3 plus over five non-continuous weeks in blocks of no less than five continuous instructional days during the 2015-2016 school year.

Teaching Support for Low-income Students (refer to line 80 in appropriations table)

The general fund appropriation in Subparagraph (l) to the public education department for teaching support for low-income students is for a nonprofit organization with ~~the primary purpose of recruiting recent college graduates and professionals who have~~ a record of demonstrated achievement to teach in low-income urban and rural public schools to provide teaching support in schools with at least sixty percent of the enrolled students eligible for free or reduced-fee lunch, with a priority for schools with eighty-five percent or more of the enrolled students eligible for free or reduced-fee lunch.

Teacher and School Leader Preparation (refer to line 76 in appropriations table)

The general fund appropriation in Subparagraph (o) to the public education department for teacher and school leader preparation includes one million dollars (\$1,000,000) to be allocated to two or more New Mexico universities for a collaborative school principal ~~turnaround~~ leadership program involving one or more colleges of education and one or more business colleges.

Referring to appropriations for (r) Teacher and School Leader Programs and Supports for Training, Preparation, Recruitment, and Retention; (s) College Preparation, Career Readiness and Dropout Prevention; and (t) Interventions and Support for Students, Struggling Schools, and Parents

Except for money in the appropriations in Subparagraphs (r) through (t) that is for use by the public education department to provide services or support, the appropriations in Subparagraphs (r) through (t) are contingent on the appropriations being distributed by the department to school districts and charter schools based on proposals submitted by school districts and charter schools and approved by the department.

Teacher and School Leader Preparation Programs and Supports for Training, Preparation, Recruitment, and Retention (refer to line 77 in appropriations table)

The appropriations in Subparagraph (r) are contingent on the public education department using the appropriations for the following: (1) teacher and school leader preparation programs; and (2) supports for teacher and school administrator training, preparation, recruitment and retention. School districts with established collective bargaining units may use the appropriations in any

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE

GENERAL APPROPRIATION ACT OF 2015

CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])

~~Strikethrough~~ indicates Executive Veto

compensation initiative implemented by the department, subject to collective bargaining. School districts that do not have established collective bargaining units shall not be required to collectively bargain in order to participate in any compensation initiative implemented by the department with these appropriations. Awards made for any individual initiative pursuant to these appropriations shall not exceed seventy-five percent of the total appropriations.

Section 4, J: HIGHER EDUCATION

Higher Education Department: *Page 145, lines 5-18 [education-related language **bolded**]*

The general fund appropriation to the policy development and institutional financial oversight program of the higher education department in the other category **includes five million six hundred seventy-eight thousand seven hundred dollars (\$5,678,700) to provide adult education services, including materials and access to high school equivalency tests to adults** and one hundred fifty thousand dollars (\$150,000) for workforce development programs at community colleges that primarily educate and retrain recently displaced workers. [p. 145, lines 5-10]

Notwithstanding the provisions of Article 23A of Chapter 22 NMSA 1978 or other substantive law, the other state funds appropriation to the policy development and institutional financial oversight program of the higher education department in the other category **includes fifty thousand dollars (\$50,000) to the tribal dual credit fund and one hundred thousand dollars (\$100,000) for an English language learner teacher preparation program from the Indian education fund.** [p. 145, lines 14-18]

University of New Mexico: *Pages 150-154 (education-related language **bolded**)*

~~Notwithstanding the provisions of Article 23A of Chapter 22 NMSA 1978 or other substantive law, the other state funds appropriation to the minority student services program at the university of New Mexico includes an additional one hundred fifty thousand dollars (\$150,000) from the Indian education fund for American Indian student services at the Gallup and Taos campuses of the university of New Mexico.~~ [p. 151, lines 23-25, and p. 152, line 1]

~~Notwithstanding the provisions of Article 23A of Chapter 22 NMSA 1978 or other substantive law, the other state funds appropriation to the southwest Indian law clinic program at the university of New Mexico includes an additional one hundred thousand dollars (\$100,000) from the Indian education fund.~~ [p. 152, lines 2-4]

~~Notwithstanding the provisions of Article 23A of Chapter 22 NMSA 1978 or other substantive law, the other state funds appropriation to the Native American health center at the university of New Mexico's health sciences center includes one hundred fifty thousand dollars (\$150,000) from the Indian education fund.~~ [p. 153, lines 23-25, and p. 154, line 1]

Notwithstanding the provisions of Article 23A of Chapter 22 NMSA 1978 or other substantive law, the other state funds appropriation to the Native American suicide

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE

GENERAL APPROPRIATION ACT OF 2015

CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])

~~Strikethrough~~ indicates Executive Veto

prevention program at the university of New Mexico **includes two hundred thousand dollars (\$200,000) from the Indian education fund** for services ~~in McKinley and San Juan counties~~. [p. 154, lines 2-5]

Section 4, K: PUBLIC SCHOOL SUPPORT

Public School Support

(1) State equalization guarantee distribution: *Page 174, line 4, through Page 175, line 20*

The rate of distribution of the state equalization guarantee distribution shall be based on a program unit value determined by the secretary of public education. The secretary of public education shall establish a preliminary unit value to establish budgets for the 2015-2016 school year and then, on verification of the number of units statewide for fiscal year 2016, but no later than January 31, 2016, the secretary of public education may adjust the program unit value.

The secretary of public education shall not distribute a school district's or charter school's state equalization guarantee distribution after the first reporting date, which is October 14, 2015, if, by that date, the school district or charter school has not conducted an assessment of its student assessment practices using a public education department-approved audit tool and submitted the results of the audit to the public education department and the local school board or governing body of the charter school. ~~The public education department shall provide a report of the assessment audit results to the legislative education study committee by December 2015.~~

After considering those elementary physical education programs eligible for state financial support and the amount of state funding available for elementary physical education, the secretary of public education shall annually determine the programs and the consequent numbers of students in elementary physical education that will be used to calculate the number of elementary physical education program units.

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 federal Mineral Leasing Act receipts otherwise unappropriated.

The general fund appropriation to the state equalization guarantee distribution reflects the deduction of federal revenue 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 U.S.C. 7701 et seq., and formerly known as "PL874 funds".

(2) Transportation distribution: *Page 176, lines 12-18*

Notwithstanding the provisions of Section 22-8-26 NMSA 1978 or other substantive law, a state-chartered charter school that receives a transportation allocation that exceeds the amount required to provide to-and-from transportation, three- and four-year-old developmentally

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE
GENERAL APPROPRIATION ACT OF 2015
CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])
~~Strikethrough~~ indicates Executive Veto

disabled transportation and vocational education transportation shall deposit one hundred percent of the remaining balance in the transportation emergency fund at the end of fiscal year 2016.

The secretary of public education shall not distribute any emergency supplemental funds to a school district or charter school that is not in compliance with the Audit Act or that has cash and invested reserves, or other resources or any combination thereof, equaling five percent or more of their operating budget.

(3) Supplemental distribution: *Page 176, line 19 through Page 177, line 4*

The secretary of public education shall not distribute any emergency supplemental funds to a school district or charter school that is not in compliance with the Audit Act or that has cash and invested reserves, or other resources or any combination thereof, equaling five percent or more of their operating budget.

Any unexpended balances in the supplemental distribution of the public education department remaining at the end of fiscal year 2016 from appropriations made from the general fund shall revert to the general fund.

INSTRUCTIONAL MATERIALS: *Page 177, lines 9-20*

(1) Instructional material fund: *Page 177, lines 9-12*

The appropriation to the instructional material fund is made from federal Mineral Leasing Act receipts.

(2) Dual-credit instructional materials: *Page 177, lines 13-20*

The general fund appropriation to the public education department for dual-credit instructional materials shall be used by the department to reimburse school districts, charter schools, state-supported schools and bureau of Indian education high schools in New Mexico for the cost of required textbooks and other course supplies for students enrolled in the dual-credit program to the extent of the available funds.

Any unexpended balances in the dual-credit instructional materials distribution remaining at the end of fiscal year 2016 from appropriations made from the general fund shall revert to the general fund.

Section 5. SPECIAL APPROPRIATIONS *Page 187, line 11 through Page 188, line 12*

(56) PUBLIC EDUCATION DEPARTMENT 2,000.0

For distribution to classroom teachers to purchase classroom supplies. 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.

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE
GENERAL APPROPRIATION ACT OF 2015
CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])
~~Strikethrough~~ indicates Executive Veto

(57) PUBLIC EDUCATION DEPARTMENT 2,000.0

For emergency support to school districts experiencing shortfalls. All requirements for distribution of funds shall be in accordance with Section 22-8-30 NMSA 1978.

(58) PUBLIC EDUCATION DEPARTMENT 1,200.0

For legal fees related to two education funding sufficiency lawsuits and reopening of the Zuni lawsuit.

(59) PUBLIC EDUCATION DEPARTMENT 450.0

For the fiscal year 2014 financial statement audit of the public education department and state-chartered charter schools.

(60) PUBLIC EDUCATION DEPARTMENT

The period of time for expending the seven million two hundred thirty thousand one hundred dollars (\$7,230,100) appropriated from the general fund to the public education department in Paragraph (v) of Subsection I of Section 4 of Chapter 63 of Laws 2014 for teacher and school leader programs and supports for training, preparation, recruitment and retention is extended through fiscal year 2016.

(61) PUBLIC EDUCATION DEPARTMENT

The period of time for expending the two million nine hundred ninety-one thousand eight hundred dollars (\$2,991,800) appropriated from the general fund to the public education department in Paragraph (o) of Subsection I of Section 4 of Chapter 63 of Laws 2014 for school leader preparation is extended through fiscal year 2016.

(62) PUBLIC EDUCATION DEPARTMENT 3,100.0

To the instructional material fund. The general fund appropriation includes one million one hundred thousand dollars (\$1,100,000) 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.

Section 8. ADDITIONAL FISCAL YEAR 2015 BUDGET ADJUSTMENT AUTHORITY

Page 200, lines 8-12

AA. the public education department may request budget increases up to six million three hundred thousand dollars (\$6,300,000) from school districts and charter schools for fiscal year 2015 standards-based assessment fees and may request budget increases up to twenty thousand dollars (\$20,000) from the school transportation training fund to provide public school transportation workshops and training.

SELECTED PUBLIC EDUCATION-RELATED LANGUAGE

GENERAL APPROPRIATION ACT OF 2015

CS/H 2&4a (Laws 2015, Ch. 101 [partial veto])

~~Strikethrough~~ indicates Executive Veto

Section 9. CERTAIN FISCAL YEAR 2016 BUDGET ADJUSTMENTS AUTHORIZED

Page 209, lines 4-9 and Page 210, lines 10-12

(41) the department of military affairs may request budget increases up to forty-eight thousand dollars (\$48,000) from internal service funds/interagency transfers that are federal in origin from the New Mexico public education department national school lunch program for the New Mexico youth challenge academy and may request budget increases up to fifty thousand dollars (\$50,000) from other state funds from leases, land royalties, miscellaneous revenue, gifts or grants for support of national guard facility operations, maintenance and repair or the New Mexico youth challenge academy;

(45) the public education department may request budget increases up to twenty thousand dollars (\$20,000) from the school transportation training fund to provide public school transportation workshops and training.

Section 11. FUND TRANSFERS *Page 210, lines 23-25*

A. Twenty million dollars (\$20,000,000) is transferred in fiscal year 2016 from the operating reserve to the appropriation contingency fund.

**Table 3
HISTORY OF THE UNIT VALUE
(1974-1975 FINAL to 2015-2016 PRELIMINARY)**

School Year	Preliminary Unit Value	Final Unit Value	Increase/Decrease from Previous Year	Percent Difference
1974-1975		\$616.50		
1975-1976		\$703.00	\$86.50	14.0%
1976-1977		\$800.00	\$97.00	13.8%
1977-1978		\$905.00	\$105.00	13.1%
1978-1979		\$1,020.00	\$115.00	12.7%
1979-1980		\$1,145.00	\$125.00	12.3%
1980-1981		\$1,250.00	\$105.00	9.2%
1981-1982		\$1,405.00	\$155.00	12.4%
1982-1983 ¹	\$1,540.00	\$1,511.33	\$106.33	7.6%
1983-1984		\$1,486.00	(\$25.33)	-1.7%
1984-1985		\$1,583.50	\$97.50	6.6%
1985-1986 ²	\$1,608.00	\$1,618.87	\$35.37	2.2%
1986-1987		\$1,612.51	(\$6.36)	-0.4%
1987-1988		\$1,689.00	\$76.49	4.7%
1988-1989		\$1,737.78	\$48.78	2.9%
1989-1990		\$1,811.51	\$73.73	4.2%
1990-1991		\$1,883.74	\$72.23	4.0%
1991-1992		\$1,866.00	(\$17.74)	-0.9%
1992-1993 ³	\$1,851.73	\$1,867.96	\$1.96	0.1%
1993-1994	\$1,927.27	\$1,935.99	\$68.03	3.6%
1994-1995	\$2,015.70	\$2,029.00	\$93.01	4.8%
1995-1996	\$2,113.00	\$2,113.00	\$84.00	4.1%
1996-1997	\$2,125.83	\$2,149.11	\$36.11	1.7%
1997-1998	\$2,175.00	\$2,175.00	\$25.89	1.2%
1998-1999	\$2,322.00	\$2,344.09	\$169.09	7.8%
1999-2000 ⁴	\$2,460.00	\$2,460.00	\$115.91	4.9%
2000-2001	\$2,632.32	\$2,647.56	\$187.56	7.6%
2001-2002	\$2,868.72	\$2,871.01	\$223.45	8.4%
2002-2003	\$2,896.01	\$2,889.89	\$18.88	0.7%
2003-2004	\$2,977.23	\$2,976.20	\$86.31	3.0%
2004-2005	\$3,035.15	\$3,068.70	\$92.50	3.1%
2005-2006 ⁵	\$3,165.02	\$3,198.01	\$129.31	4.2%
2006-2007 ^{5,6}	\$3,444.35	\$3,446.44	\$248.43	7.8%
2007-2008	\$3,645.77	\$3,674.26	\$227.82	6.6%
2008-2009 ⁷	\$3,892.47	\$3,871.79	\$197.53	5.4%
2009-2010	\$3,862.79 ⁸	\$3,792.65 ⁹	(\$79.14)	-2.0%
2010-2011	\$3,712.45 ¹⁰	\$3,712.17 ¹¹	(\$80.48)	-2.1%
2011-2012	\$3,585.97	\$3,598.87	(\$113.30)	-3.1%
2012-2013	\$3,668.18	\$3,673.54 ¹²	\$74.67	2.1%
2013-2014	\$3,817.55	\$3,817.55 ¹²	\$144.01	3.9%
2014-2015	\$4,005.75	\$4,007.75	\$190.20	5.0%
2015-2016	\$4,027.75		\$20.00	0.5%

¹ The 1982-1983 General Fund appropriation was reduced by 2.0 percent.

² The final unit value includes \$10.87 due to the ½ mill redistribution (Laws 1985, Chapter 15).

³ The "floating" unit value went into effect.

⁴ The basis for funding changed to the prior-year average membership of the 40th, 80th, and 120th school days.

⁵ For FY 06, appropriated program cost contains an additional \$51.8 million to implement the third year of the five-year phase-in of the three-tiered licensure system. Although this funding was distributed based on need in FY 06, the \$51.8 million was included in the calculation of the unit value in FY 07.

⁶ The basis for funding changed to the prior-year average membership of the 80th and 120th school days.

⁷ The 2009 legislative session solvency measures resulted in a \$20.68 decrease in the FY 09 unit value.

⁸ FY 10 initial unit value comprises \$3,606.40 in General Fund dollars and \$256.39 in federal funding from the *American Recovery and Reinvestment Act of 2009* (ARRA).

⁹ FY 10 final unit value comprises \$3,458.06 in General Fund dollars and \$334.59 in federal ARRA funding.

¹⁰ FY 11 initial unit value comprises \$3,674.75 in General Fund dollars and \$37.70 in federal ARRA funding.

¹¹ FY 11 final unit value comprises \$3,572.34 General Fund, \$37.85 federal ARRA funding, and \$101.98 in Education Jobs funding.

¹² The final FY 13 and FY 14 unit values may be adjusted based on a final decision from the US Department of Education regarding a waiver request from maintenance of effort requirements for state-level funding for special education.

**TABLE 4
PUBLIC SCHOOL CAPITAL OUTLAY REAUTHORIZATIONS
CS/S 291a, with emergency clause, Laws 2015, Ch. 147 [partial veto]**

District/Agency Affected	School(s) Affected	Original Purpose	Reauthorized Purpose	Fund
1 Public Education Department	La Mesa Elementary School (APS)	<ul style="list-style-type: none"> • 2014 - for an outdoor classroom. 	<p>to plan, design, construct, improve and landscape the grounds, playgrounds and facilities, including the:</p> <ul style="list-style-type: none"> • the purchase of land; and • the purchase and installation of related equipment, fencing, shade structures and information technology. 	STB 1
2 Bernalillo County (Old) Public Education Department (New)	Los Padillas Elementary School (APS)	<ul style="list-style-type: none"> • 2013 - for the playground and equipment at the early childhood education center at Los Padillas Community Center. 	to plan, design and construct the playground and purchase and install equipment at the head start center at Los Padillas elementary school.	STB 2
3 Public Education Department	Robert F. Kennedy Charter School (APS)	<ul style="list-style-type: none"> • 2014 - to purchase land and a building; and renovate school facilities. 	<p>to plan, design, construct, landscape and improve the grounds, fields and facilities, including the:</p> <ul style="list-style-type: none"> • the purchase of land; and • the purchase and installation of related equipment, fencing, shade structures, turf, furniture and information technology. 	STB 3
4 Public Education Department	Sierra Vista Elementary School (APS)	<ul style="list-style-type: none"> • 2013 - for pre-kindergarten playground improvements at the school. 	to plan, design, construct and renovate the grounds and playgrounds, including the the purchase and installation of related equipment, fencing, shade structures, turf, drainage improvements and landscaping.	STB 4
5 Public Education Department	Valley High School (APS)	<ul style="list-style-type: none"> • 2014 - for a baseball field safety fence at the school. 	to plan, design, renovate, construct, improve and lanscape the grounds and facilities, including the purchase and installation of equipment, security cameras, fencing, shade structures and information technology.	STB 5
6 Department of Environment (Old) Local Government Division (New)	Gallup-McKinley County Public School District	<ul style="list-style-type: none"> • 2013 - for remediation at the Gallup-McKinley county public school district maintenance facility site. 	to plan, design and construct a skate park in Gallup in McKinley county.	STB 6

Legend:

APS - Albuquerque Public Schools

STB - Severance Tax Bonds

SFPS - Santa Fe Public Schools

**TABLE 4
PUBLIC SCHOOL CAPITAL OUTLAY REAUTHORIZATIONS
CS/S 291a, with emergency clause, Laws 2015, Ch. 147 [partial veto]**

District/Agency Affected	School(s) Affected	Original Purpose	Reauthorized Purpose	Fund
7 Local Government Division (Old) Public Education Department (New)	Moriarty-Edgewood Municipal School District	<ul style="list-style-type: none"> • 2013 - to plan, design, purchase, construct, renovate and equip a multipurpose facility for tri-county youth and their families in Torrance county. 	appropriated to the public education department for the same purpose in the Moriarty-Edgewood municipal school district in Torrance and Santa Fe counties.	STB 7
8 Public Education Department (Old) Local Government Division (New)	Rio Rancho Public School District	<ul style="list-style-type: none"> • 2014 - to acquire land for and plan, design and construct phases 1 and 2 of the New Mexico learning and development center in the Rio Rancho public school district in Sandoval county. 	appropriated to the local government division for the same purpose in Rio Rancho in Sandoval county.	STB 8
9 Public Education Department	Rio Rancho Public School District	<ul style="list-style-type: none"> • 2014 - for visitor-related improvements at elementary schools in the Rio Rancho public school district. 	to plan, design and construct improvements to enhance security at middle school entrances; the appropriation is to be divided equally among the four middle schools in that school district (Eagle Ridge, Lincoln, Mountain View and Rio Rancho middle schools).	STB 9
10 Public Education Department	New Mexico School for the Arts	<ul style="list-style-type: none"> • 2014 - to purchase a portion of the department of transportation's real property for a permanent campus for the New Mexico school for the arts. 	to plan, design and construct facilities for the New Mexico school for the arts in Santa Fe, contingent upon a match from private donations.	STB 10
11 Public Education Department	Academy for Technology and the Classics Charter School (SFPS) Turquoise Trail Elementary School (SFPS)	<ul style="list-style-type: none"> • 2013 - to purchase, expand and renovate the facility at the Academy for Technology and the Classics Charter School. 	to plan, design, construct, equip and improve water, electrical, safety and security systems at Turquoise Trail elementary school; the time of expenditure is extended through fiscal year 2017.	STB 11

Legend:

APS - Albuquerque Public Schools

STB - Severance Tax Bonds

SFPS - Santa Fe Public Schools

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HOUSE BILLS

- *H 1** **FEED BILL [SGND (Jan. 26) Ch. 1 {partial veto} (Exec Msg 1)],** *Rep. Gentry* — appropriates funds for the expenses of the legislative session and operating budgets for interim legislative activities, including the Legislative Education Study Committee (LESC).
- H 2** **GENERAL APPROPRIATION ACT OF 2015 [SGND (Apr. 9) Ch. 101 {partial veto} (Exec Msg 17)],** *Rep. Larrañaga* — makes appropriations and authorizes expenditures by state agencies for FY 16. **Public School Support and related recurring appropriations:** appropriates approximately \$2.75 billion, including **\$2.5 billion to the State Equalization Guarantee (SEG) distribution** (commonly referred to as “above the line” funding), which supports enrollment growth with nearly \$5.2 million; employer insurance increases with nearly \$4.4 million; fixed costs with \$5.0 million; a \$34,000 minimum salary for Level 1 teachers with approximately \$6.7 million; and the FY 16 at-risk unit increase with nearly \$12.6 million. **Categorical Public School Support:** appropriates approximately \$130.8 million to support school transportation statewide, and funding for out-of-state tuition, emergency supplemental, dual credit instructional materials, standards-based test costs, the Instructional Material Fund, and the Indian Education Fund. **Recurring appropriations to the Public Education Department (PED):** appropriates approximately \$112.9 million, including the PED budget, the pre-kindergarten program in public schools, and K-3 Plus program. Finally, **special, nonrecurring appropriations to PED:** appropriates \$8.75 million, including \$450,000 for the department’s audit costs; \$2.0 million for teacher supplies; \$2.0 million in additional funding for emergency support to districts and charter schools experiencing budget shortfalls; \$3.1 million in additional funding for the purchase of instructional materials; and \$1.2 million for the department’s legal fees. (CS/H 2 & 4)
- H 53aa** **NO COMPELLED MEDICATION USE FOR STUDENTS [SGND (Apr. 7) Ch. 51 (Exec Msg 13)],** *Rep. Espinoza* — adds a new section to the Public School Code to prohibit school personnel licensed by the Public Education Department from compelling students to use psychotropic medications; and amends a section of the Children’s Code to provide that a parent’s, guardian’s, or custodian’s refusal to consent to administration of a psychotropic medication to a child is not grounds for taking a child into protective custody.
- *H 63a** **NMFA PUBLIC PROJECT REVOLVING FUND PROJECTS [SGND (Apr. 3) Ch. 25 (Exec Msg 9)],** *Rep. Lundstrom* — authorizes the New Mexico Finance Authority to make loans of greater than \$1.0 million for public projects from the Public Project Revolving Fund, and names school districts and charter schools that are eligible for loans for specified purposes, including the Estancia Valley Classical Academy in Torrance County.
- H 107** **NM JUNIOR COLLEGE LICENSE PLATE [SGND (Apr. 10) Ch. 154 (Exec Msg 26)],** *Rep. DM Gallegos* — creates a new section of the Motor Vehicle Code to create a special New Mexico Junior College (NMJC) license plate, and appropriates a

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portion of the additional fee to the Higher Education Department to support education and instruction programs at NMJC.

- H 121a** **USE OF NURSE EDUCATORS FUND [SGND (Apr. 6) Ch. 41 (Exec Msg 10)],**
Rep. McMillan — allows any registered nurse who is or will be a nurse educator to use the Nurse Educators Fund to obtain a higher degree. [Identical to S 341a]
- H 146aa** **INSTRUCTIONAL MATERIAL DEFINITIONS & CHANGES [VETOED (Apr. 7) (Exec Msg 12)],**
Rep. Stapleton — ~~amends the Instructional Material Law to modify the definition of “instructional material” to include electronic media content but to exclude electronic devices and hardware; amends the timing for allocation of funds; and eliminates the provision requiring textbooks for each student.~~
- H 156a** **INNOVATIONS IN TEACHING ACT [VETOED (Apr. 9) (Exec Msg 19)],**
Rep. McCamley — ~~adds new sections to the Public School Code to create the Innovations in Teaching Act; creates the Innovations in Teaching Program; provides powers and duties; encourages teachers to implement innovative pedagogical approaches and strategies in their classrooms; grants a waiver to participating teachers and their public schools from the use of the results of standards-based assessments in their teacher evaluations for two years; and provides for an application, reporting, and evaluation process.~~
- H 164a** **SCHOOL TRANSPORTATION INFO REPORTING [SGND (Apr. 7) Ch. 57 (Exec Msg 13)],**
Rep. Roch — amends the Public School Finance Act to change the reporting dates for school transportation funding of school districts and state-chartered charter schools to the second and third reporting dates of the prior year; and changes the distribution of allocations based on new reporting dates. (For the LESC)
- H 165** **REMOVE AYP REFERENCES IN SCHOOL CODE [SGND (Apr. 7) Ch. 58 (Exec Msg 13)],**
Rep. Roch — amends and repeals sections of the Public School Code to remove references to “Adequate Yearly Progress”; and makes technical changes. (For the LESC)
- H 170** **HIGHER EDUCATION ENDOWMENT FUND CHANGES [SGND (Mar. 30) Ch. 7 (Exec Msg 4)],**
CS/H 170a *Rep. Larrañaga* — changes the distribution process and use of the Higher Education Endowment Fund, creates the Higher Education Endowment Committee, and prescribes powers and duties.
- H 174a** **AMBER ALERTS TO PAGERS & CELL PHONES [SGND (Mar. 31) Ch. 14 (Exec Msg 5)],**
Rep. Maestas Barnes — amends the Cellular Telephone Services Act to require all commercial mobile radio service providers operating in the state, upon receipt of notification of an Amber Alert, to send wireless emergency alerts, including Amber Alerts, to customers who are in the geographic area where an alert has been issued; and provides definitions.
- H 178a** **CAREER TECHNICAL EDUCATION COURSES & TERMS [SGND (Apr. 7) Ch. 60 (Exec Msg 13)],**
Rep. Stapleton — amends the Public School Code to allow students to receive credit for certain career technical education courses as electives; defines certain career technical education terms; and allows districts to choose whether

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students who successfully complete an industry-recognized credential, certificate, or degree may receive additional weight in the calculation of their grade point average.

- H 236aa INCREASE SEVERANCE TAX PERMANENT FUND INFLOWS [SGND (Apr. 7) Ch. 63 (Exec Msg 13)], Rep. Harper/Sen. Cisneros** — amends a section of the Severance Tax Bonding Act to reduce the percentage of prior-year or estimated current-year annual deposits into the Severance Tax Bonding Fund that may be used to service debt for severance tax bonds and supplemental severance tax bonds from 50 percent to 47.6 percent and from 45 percent to 38.6 percent, respectively, over multiple years; and adjusts the percentages of severance tax bonding capacity allocated for tribal infrastructure projects and colonias infrastructure projects. (May affect public schools)
- H 282 HIGHER ED COMMON COURSE NAMING & NUMBERING [SGND (Apr. 3) Ch. 29 (Exec Msg 9)], Rep. Montoya** — amends the Post-Secondary Education Articulation Act by requiring the Higher Education Department to establish a common course naming and numbering system for lower-division courses by August 1, 2017.
- H 296a SOLAR ENERGY INSTALLATION LEASE TAX CREDIT [VETOED (Apr. 10) (Exec Msg 23)], Rep. Maestas Barnes** — ~~amends the Solar Market Development Tax Credit to allow solar energy equipment leases on systems which are new and unused by a prior lessee to qualify for the tax credit.~~ (May affect public schools)
- H 318a EDUCATION COUNSELOR SALARY ELIGIBILITY [SGND (Apr. 9) Ch. 103 (Exec Msg 20)], Rep. Pacheco** — amends the School Personnel Act to include counselors in the Level 3-A licensure salary structure.
- H 403aa PUBLIC EMPLOYEE LEAVE DONATION POLICIES [SGND (Apr. 8) Ch. 81 (Exec Msg 15)], Rep. James** — creates a new section of law to provide for public employers to implement a leave donation policy, to include sick or annual leave, for employees with medical emergencies. (May affect public schools)
- H 427 RESIDENT TUITION FOR VETERAN FAMILY MEMBERS [SGND (Apr. 10) Ch. 151 (Exec Msg 21)], Rep. Garcia Richard** — amends laws pertaining to postsecondary institutions to entitle a spouse or child of a veteran of the armed forces to in-state tuition and fees if the spouse or child is eligible for educational benefits under federal law.
- H 460 STUDY LOTTERY TUITION RECIPIENT MENTORING [SGND (Apr. 8) Ch. 84 (Exec Msg 15)], Rep. Ruiloba** — amends and adds a new section of the Legislative Lottery Tuition Scholarship Act to establish the Lottery Student Community Outreach pilot project as a six-year study to determine the efficacy of having Legislative Lottery Tuition Scholarship students perform community outreach and mentor public school students and other college students; requires the Higher Education Department to provide interim and final reports annually to the Governor and the Legislature; and allows participant organizations to actively seek public and private grants and donations for any costs of the pilot project.

- *H 479aa** **CONTINUE K-3 PLUS PROGRAM FOR SOME SCHOOLS [SGND (Apr. 8) Ch. 75 (Exec Msg 14)],** *Rep. Adkins* — amends the Public School Code to allow schools with a D or F school grade in the previous year, or schools that improved their grade rating through the K-3 Plus program, to apply to continue with the program for school year 2015-2016.
- H 505** **COVERAGE OF FORMER FOSTER CARE RECIPIENTS [SGND (Apr. 3) Ch. 31 (Exec Msg 9)],** *Rep. Armstrong* — creates a new section of the Public Assistance Act to require the Human Services Department to provide medical assistance coverage for New Mexico residents who are former foster-care recipients under 26 years of age, regardless of the state where foster care was received.
- H 567** **NAME UNM TELEHEALTH CENTER FOR REP. EASLEY [SGND (Apr. 10) Ch. 158 (Exec Msg 26)],** *Rep. Egolf* — adds a new section to statute governing the University of New Mexico (UNM) to name the center for telehealth at UNM the “Stephen Easley Telehealth Videoconferencing Center” after Representative Stephen Easley.

HOUSE MEMORIALS

- HM 2**
CS/HM 2a **PARENTAL PAID-LEAVE WORKING GROUP,** *Rep. Chasey* — requests that the University of New Mexico’s Bureau of Business and Economic Research convene the Family-Friendly Workplace Task Force and that the task force convene a parental paid-leave working group comprising a specified membership to make findings and develop recommendations for the establishment of a publicly managed parenting workers’ leave fund to which private and public employees and employers contribute; and that the work group recommend a state agency to manage the fund and the program and report to the Legislative Health and Human Services Committee and the Legislative Finance Committee by October 1, 2016. (May affect public schools)
- HM 3** **NM SPEECH-LANGUAGE & HEARING ASSOCIATION DAY,** *Rep. Stapleton* — proclaims February 20, 2015 “New Mexico Speech-Language and Hearing Association Day” at the House of Representatives. [Related to HM 4, SM 35, and SM 36]
- HM 4** **“BETTER SPEECH & HEARING MONTH,”** *Rep. Stapleton* — designates the month of May “Better Hearing and Speech Month” in New Mexico. [Related to HM 3, SM 35, and SM 36]
- HM 5** **“GIFTED DAY,”** *Rep. CH Trujillo* — declares February 23, 2015 “Gifted Day” in the House of Representatives.
- HM 6** **COLLEGE STUDENTS AS 3RD GRADE READING MENTORS,** *Rep. J. Trujillo* — requests that the LESC, in cooperation with the Public Education Department (PED) and the Higher Education Department (HED), establish a work group to study the feasibility of creating a program in which college students serve as reading mentors and tutors to students in grade 3; describes the membership of the work group; and requests that the LESC, together with PED and HED, report the results of the study and any recommendations to the Legislature and the Governor before the 2016 legislative session.

- HM 8** **RESOURCES FOR GRANDPARENTS RAISING CHILDREN**, *Rep. Stapleton* — requests that a task force be convened to study and recommend policy changes to expand the availability of resources and assistance for grandparents raising grandchildren; prescribes the membership and duties of the task force; provides that the Human Services Department, the Children, Youth and Families Department, and the Aging and Long-Term Services Department be requested to coordinate and provide staff support to the task force; and requests that the task force report its findings and recommendations to the Legislative Health and Human Services Committee no later than November 2015. [Identical to SM 104 and Related to S 568]
- HM 9** **CHILDREN WITH SPECIAL HEALTH CARE NEEDS STUDY**, *Rep. Adkins* — requests that the Children’s Medical Services Program at the Department of Health and the University of New Mexico Center for Development and Disability convene a task force on healthcare transition for New Mexico children and youths with special healthcare needs; specifies the membership of the task force; and requests that the task force report its findings and recommendations to several state agencies and legislative committees by October 1, 2015. (May affect public schools)
- HM 10** **“ENLACE NEW MEXICO DAY,”** *Rep. CH Trujillo* — proclaims January 22, 2015 “ENLACE New Mexico Day” in the House of Representatives.
- HM 14** **ESTABLISH HIGH-QUALITY CAREER PATHWAYS**, *Rep. Stapleton* — requests that the Higher Education Department, the Public Education Department, and the Workforce Solutions Department collaborate to establish high-quality career pathways that bridge high school curricula, postsecondary studies, and 21st Century job opportunities for all New Mexico students and report their findings and progress to the LESC by November 1, 2015. [Identical to SM 105]
- HM 18** **“SUPPORT THE NM ALLIANCE OF YMCAS DAY,”** *Rep. Garcia Richard* — recognizes the contributions of the New Mexico Alliance of YMCAs and declares February 12, 2015 “Support the New Mexico Alliance of YMCAs Day” in the House of Representatives.
- HM 20** **“NM TRIO PROGRAMS DAY,”** *Rep. T. Salazar* — proclaims February 27, 2015 “New Mexico TRiO Programs Day” in the House of Representatives.
- HM 21** **NM PRIVATE-SECTOR EDUCATION PARTNERSHIPS**, *Rep. Garcia Richard* — recognizes private-sector organizations for their involvement, commitment, and voluntary contributions to science, technology, engineering, and mathematics education partnerships; and requests that the organizations report their progress to the LESC during the 2015 interim. [Identical to SM 30]
- HM 23** **“FFA DAY,”** *Rep. Roch* — declares February 18, 2015 “FFA Day” in the House of Representatives.
- HM 25** **“NM FOOD & FARMS LIST,”** *Rep. Maestas Barnes* — declares January 28, 2015 “New Mexico Food and Farms Day” in the House of Representatives.

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- HM 34** **“GRADUATE EDUCATION DAY,”** *Rep. Tripp* — proclaims January 30, 2015 “Graduate Education Day” at the House of Representatives.
- HM 40** **“NM ATHLETIC TRAINER DAY,”** *Rep. McCamley* — declares March 4, 2015 “New Mexico Athletic Trainer Day” in the House of Representatives. [Related to SM 114]
- HM 46** **“I AM NEW MEXICO PUBLIC SCHOOLS DAY,”** *Rep. Espinoza* — declares February 19, 2015 “I Am New Mexico Public Schools Day” in the House of Representatives.
- HM 47** **RECONVENE J. PAUL TAYLOR CHILDHOOD TASK FORCE,** *Rep. Chasey* — requests that the J. Paul Taylor Early Childhood Task Force be reconvened to support the implementation and sustainability of its recommended Early Childhood Behavioral Health Action Plan and the Child Abuse Prevention Plan, to recommend best practices for a trauma-informed community service and state delivery system, and to expand its membership; and requests review of task force recommendations by the Legislative Finance Committee and the Legislative Health and Human Services Committee. [Identical to SM 69]
- HM 48** **NM LIBRARY NEEDS ASSESSMENT,** *Rep. Armstrong* — requests that the New Mexico State Library support a needs assessment of New Mexico libraries and support and assist with a statewide conference to identify policies and goals for improved library services. [Identical to SM 61]
- HM 57** **“UNM DAY,”** *Rep. Larrañaga* — declares February 9, 2015 “UNM Day” in the House of Representatives and requests that the University of New Mexico be commended for its service and dedication to the residents of New Mexico. [Similar to SM 54]
- HM 58** **“AUTISM DAY,”** *Rep. Louis* — declares February 16, 2015 “Autism Day” in the House of Representatives. [Related to SM 64]
- HM 61** **SCHOOL NURSE TASK FORCE,** *Rep. Herrell* — requests that the Secretary of Health and the Secretary of Public Education create a school nurse task force to propose New Mexico school nurse staffing models, make recommendations to the Legislative Finance Committee and the Legislative Health and Human Services Committee to address any possible disparities caused by a lack of nursing services to students, and develop a plan to address those disparities by October 1, 2015.
- HM 62** **“NEW MEXICO MESA DAY,”** *Rep. Herrell* — declares March 17, 2015 “New Mexico MESA Day” in the House of Representatives and recognizes MESA’s dedication to preparing minority students for careers in mathematics, engineering, and the sciences. [Related to SM 49]
- HM 64** **“COMMUNITY COLLEGE DAY,”** *Rep. Espinoza* — declares February 11, 2015 “Community College Day” in the House of Representatives and requests that the 2015 Community College All-State Academic Teams from 15 community colleges across the state be recognized. [Related to SM 58]

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- HM 65** **“ALPHA KAPPA ALPHA SORORITY DAY,”** *Rep. Stapleton* — declares February 13, 2015 “Alpha Kappa Alpha Sorority Day” in the House of Representatives and requests that the members who uphold its standards and missions be recognized.
- HM 68** **“PUBLIC EDUCATOR APPRECIATION DAY,”** *Rep. Stapleton* — declares February 16, 2015 “Public Educator Appreciation Day” in the House of Representatives, and requests that public educators be acknowledged for their immeasurable contributions, hard work, and dedication to New Mexico public school students and their parents. [Related to SM 63]
- HM 78** **“NEW MEXICO GRADS DAY,”** *Rep. Tripp* — proclaims February 18, 2015 “New Mexico GRADS Day” at the House of Representatives.
- HM 83a** **HIGH SCHOOL MATH EDUCATION TASK FORCE,** *Rep. JC Hall* — requests that the Public Education Department (PED) convene a High School Mathematics Education Task Force; prescribes the membership of the task force, including representatives from the Math and Science Advisory Council; requests that the task force review policies regarding Algebra II waivers; requests other studies by PED and the Higher Education Department (HED); and requests that PED, HED, and the task force report their findings to the LESC and any other appropriate interim committees each November 1 from 2015 through 2017.
- HM 84a** **AT-RISK YOUTH DESIGN EDUCATION PROGRAMS,** *Rep. Maestas* — requests that the Public Education Department explore funding options for the creation of design education programs for at-risk youth and present its findings to the LESC and the Legislative Finance Committee before December 1, 2016.
- HM 86** **SOUTHWEST COMMUNITY SCHOOL COLLABORATIVE DAY,** *Rep. Ruiloba* — declares February 24, 2015 “Southwest Community School Collaborative Day,” a day of champions, in the House of Representatives.
- HM 89** **“ALBUQUERQUE WEST SIDE DAY,”** *Rep. Maestas* — proclaims February 19, 2015 “Albuquerque West Side Day” at the House of Representatives.
- HM 90** **ABQ EDUCATIONAL ASSISTANTS DAY,** *Rep. Stapleton* — declares March 4, 2015 “Albuquerque Educational Assistants, Campus Assistants and Community Support Liaisons Appreciation Day” at the House of Representatives.
- HM 91** **“ASIAN AMERICAN DAY,”** *Rep. Stapleton* — declares March 6, 2015 “Asian American Day” in the House of Representatives.
- HM 93** **YEAR-ROUND LEGISLATIVE LOTTERY SCHOLARSHIP,** *Rep. Harper* — requests that the Secretary of Higher Education convene and chair a task force to study the feasibility of implementing a year-round Legislative Lottery Tuition Scholarship program, and requests that the task force provide a report and present findings and recommendations to the appropriate interim committee by November 1, 2015.

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- HM 97** **STUDY PARENTAL RIGHTS ISSUES**, *Rep. J. Martinez* — requests that the appropriate interim legislative committee study issues relating to parental rights and report its conclusions to the Second Session of the Fifty-second Legislature.
- HM 106** **TRIBAL INFRASTRUCTURE FUND FOR LIBRARIES**, *Rep. Madalena* — requests that the Indian Affairs Department work with tribal leaders and the Tribal Infrastructure Board to dedicate one year of Tribal Infrastructure Project Fund money to assess and address the most critical needs for construction and renovation of tribal library facilities.
- HM 109** **“NDI NEW MEXICO DAY,”** *Rep. Tripp* — proclaims February 24, 2015 “NDI New Mexico Day” in the House of Representatives, in recognition of the National Dance Institute of New Mexico’s public-private partnership to promote a platform for children’s success.
- HM 111** **RUNAWAY CHILD & FAMILY PROTECTIVE SERVICES**, *Rep. Ruiloba* — requests that the Children, Youth and Families Department and certain law enforcement agencies and public schools convene a task force to study and develop a pilot approach to be tested in Bernalillo County to identify and provide protective or supportive services to runaway children and their families; and requests that these entities report findings and make recommendations for proposed legislation and funding to the appropriate interim committee dealing with courts, corrections, and justice by November 2015.
- HM 112** **TUITION SCHOLARSHIP AMOUNTS & NOTICES**, *Rep. McCamley* — requests that the Higher Education Department adhere to statutory and regulatory requirements to determine the total amount of money available for tuition scholarships and the uniform percentage by which to calculate tuition scholarships; and notify all eligible institutions of, and make available to the public, the determinations by June 1 annually.
- HM 113** **PSYCHOLOGIST LICENSURE TASK FORCE**, *Rep. Armstrong* — requests that the Higher Education Department convene a task force to evaluate the quality of online study courses, the state’s eligibility requirements, and corresponding regulations for licensure in the state as a psychologist; and report any recommended changes to the state’s licensing procedures, licensure eligibility requirements, or corresponding regulations to the appropriate legislative interim committee no later than December 1, 2015.
- HM 115** **NM PTA 100TH ANNIVERSARY**, *Rep. Dines* — recognizes the 100th anniversary of the New Mexico Parent Teacher Association and its dedication and commitment to the families and students of New Mexico.
- HM 125** **STUDY IPRA REQUESTS TO SCHOOLS**, *Rep. K. Martinez* — requests that the Legislative Finance Committee (LFC) convene a work group with a prescribed membership to study and make recommendations to address the administrative and fiscal burdens of complying with Inspection of Public Records Act requests made to public postsecondary educational institutions and public school districts and report to the LFC and the Courts, Corrections and Justice Committee by November 1, 2015.

PASSED
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HOUSE RESOLUTION

HR 1a **HOUSE STANDING COMMITTEE CHANGES**, *Rep. Gentry* — amends the rules pertaining to the standing committees by renaming and reconfiguring several of the committees.

SENATE BILLS

- S 8a
CS/S 8 **CHARTER SCHOOL EDUCATION TECH EQUIPMENT [SGND (Apr. 7) Ch. 68 (Exec Msg 12)]**, *Sen. Cisneros/Rep. Gonzales* — amends the Education Technology Equipment Act to make locally chartered and state-chartered charter schools eligible, under certain conditions, to receive a prorated share of education technology equipment purchased by a school district through a lease-purchase arrangement pursuant to the act; allows local school boards to submit to local voters the question of creating debt; and requires local school boards to abide by the majority vote on the question. [Related to CS/H 19]
- S 105 **COUNTY GROSS RECEIPTS FOR SCHOOL IMPROVEMENTS [VETOED (Apr. 9) (Exec Msg 17)]**, *Sen. Martinez* — ~~creates a new section of the County Local Option Gross Receipts Taxes Act to allow a county to impose a special county education gross receipts tax dedicated to payment for bonds for public school capital outlay improvements for qualifying counties.~~
- S 114a **LOCAL GOV'T SPECIAL FUELS TAXES [VETOED (Apr. 10) (Exec Msg 19)]**, *Sen. Griggs* — ~~amends the County and Municipal Gasoline Tax Act to include and allow local option taxation on special fuels, which includes diesel fuel, at a maximum rate of \$0.02 per gallon; specify the use of the proceeds of the tax; expands an authorization to impose a tax on gasoline to all municipalities and counties; and repeals a section of that act requiring that any ordinance imposing a county or municipal gasoline tax conform to the deductions, refunds, and credits contained in the Gasoline Tax Act. (May affect public schools)~~
- S 128 **PUBLIC SCHOOL CAPITAL OUTLAY BUILDING NEEDS [SGND (Apr. 8) Ch. 93 (Exec Msg 14)]**, *Sen. Stewart/Rep. Smith* — amends the Public School Capital Outlay Act to allow the Public School Capital Outlay Council to provide temporary annual allocations to school districts to address building systems needs in existing buildings; defines building systems; and appropriates up to \$15.0 million of the Public School Capital Outlay Fund to be expended annually by the council for expenditure in FY 16 through FY 20 for a building system repair, renovation, or replacement initiative. (For the Public School Capital Outlay Oversight Task Force and the LESC)
- S 129 **SCHOOL DISTRICT LIENS ON SOME SCHOOL BUSES [SGND (Apr. 6) Ch. 46 (Exec Msg 10)]**, *Sen. Stewart* — amends the Public School Finance Act to require school district liens on every contractor-owned school bus under contract to the school district. (For the LESC)
- S 130a **PUBLIC SCHOOL LEASE PURCHASE ACT DEFINITIONS [SGND (Apr. 9) Ch. 106 (Exec Msg 15)]**, *Sen. Stewart* — amends the Public School Lease Purchase Act to clarify the definition of “governing body,” and establishes the relationship between a governing body and a school district or a charter school in the acquisition of public school facilities pursuant to lease-purchase arrangements. (For the LESC)

- S 148aa** **CHARTER SCHOOL RESPONSIBILITIES [SGND (Apr. 9) Ch. 108 (Exec Msg 15)]**, *Sen. Stewart* — amends the Public School Code to define certain charter school terms and clarify certain responsibilities of charter school authorizers, charter school governing bodies, and charter schools. (For the LESC)
- S 153a**
FL/S 153 **STREAMLINE TEACHER ADMINISTRATIVE LICENSURE [SGND (Apr. 8) Ch. 74 (Exec Msg 13)]**, *Sen. Beffort* — amends the School Personnel Act to adjust the requirements for applicants to qualify for Level 3-B licensure, shortens the length of the Level 3-B license from nine years to five years, and sets the minimum salary for a licensed school principal or assistant principal at \$50,000 per year multiplied by the applicable responsibility factor. (FL/S 153 & 126) [Related to S 91, S 126aa, S 223, H 71aa, FL/H 76a, and CS/H 529a]
- S 174aa**
CS/S 174 **STATE INVESTMENT CHANGES [SGND (Apr. 8) Ch. 95 (Exec Msg 14)]**, *Sen. Wirth* — makes administrative changes to the State Investment Council (SIC), State Investment Officer, and State Investment Office; eliminates the Private Equity Investment Advisory Committee; clarifies that operating budget funds to the SIC must be appropriated by the Legislature; and provides for indemnification. (May affect public schools)
- S 208**
CS/S 208
CS/CS/S 208 **FRAUD AGAINST TAXPAYERS DEFINITIONS [SGND (Apr. 10) Ch. 128 (Exec Msg 22)]**, *Sen. Payne* — amends the Fraud Against Taxpayers Act to clarify that the act applies to political subdivisions and charter schools as well as the state; and adds the definition of a political subdivision.
- S 255** **VALENCIA COUNTY OFF-CAMPUS CENTER [POCKET VETO]**, *Sen. C. Sanchez* — ~~authorizes the Board of Regents of the University of New Mexico to create an off-campus instructional Center in Valencia County.~~
- S 257a** **CHARTER SCHOOLS & PUBLIC AUDIT CHANGES [VETOED (Apr. 9) (Exec Msg 16)]**, *Sen. Ivey-Soto/Rep. JC Hall* — ~~amends the Audit Act to include charter schools in the definition of agency and allows a component unit of a primary government entity to request, at the component unit's discretion, a separate audit from the primary entity; and requires the auditor for the primary government entity to accept the audit performed by the auditor selected by the component unit. (For the LESC)~~
- S 279a**
CS/S 279 **SUSTAINABLE BUILDING TAX CREDITS [SGND (Apr. 10) Ch. 130 (Exec Msg 22)]**, *Sen. Wirth/Rep. CA Trujillo* — adds new sections to the Income Tax Act and the Corporate Income and Franchise Tax Act to create the New Sustainable Building Tax Credit, which includes water conservation requirements, and specifies that the tax credit apply to taxable years beginning on or after January 1, 2017. (May affect public schools)
- S 318a** **SUNSET DATES FOR CERTAIN AGENCIES [SGND (Apr. 9) Ch. 119 (Exec Msg 15)]**, *Sen. Cisneros* — extends the sunset dates for certain agencies. (For the Legislative Finance Committee)

- S 329aa SCHOOL LICENSURE RECIPROCITY REQUIREMENTS [SGND (Apr. 8) Ch. 97 (Exec Msg 14)],** *Sen. Kernan* — amends the School Personnel Act to change minimum requirements for persons seeking licensure or reciprocity in elementary, special, early childhood, or secondary education, and increases the student teaching requirement prior to initial licensure effective July 1, 2016.
- S 341a USE OF NURSE EDUCATORS FUND FOR DEGREE [SGND (Apr. 6) Ch. 47 (Exec Msg 10)],** *Sen. Campos* — allows any registered nurse who is or will be a nurse educator to use the Nurse Educators Fund to obtain a higher degree. [Identical to H 121a]
- S 357 HIGH SCHOOL EQUIVALENCY CREDENTIALS [SGND (Apr. 9) Ch. 122 (Exec Msg 15)],** *Sen. Ivey-Soto/Rep. Espinoza* — replaces all terms relating to the General Education Development credential with the term “high school equivalency credential” throughout state law.
- S 379 CS/S 379a CHILD CARE ASSISTANCE ACCOUNTABILITY ACT [POCKET VETO],** *Sen. Sapien/Rep. Larrañaga* — ~~adds a new section to the Children’s Code to create the Child Care Assistance Accountability Act; requires the Children, Youth and Families Department (CYFD) to establish the Child Care Assistance Accountability program; requires CYFD to convene a prescribed work group to develop an outcomes measurement plan to monitor outcomes for children and families receiving services through child care assistance programs; requires the plan to be submitted to the Legislature, the Governor, and the Early Learning Advisory Council by December 31, 2015, with a report submitted annually thereafter beginning December 31, 2016; and provides for rulemaking. (May affect public schools)~~
- S 381 CARLOS VIGIL MEMORIAL ACT & BULLYING [SGND (Apr. 10) Ch. 132 (Exec Msg 22)],** *Sen. Candelaria* — creates the *Carlos Vigil Memorial Act* and the Carlos Vigil Memorial Board to award grants to programs and services to eradicate bullying statewide; prescribes the board membership, creates the Eradicate Bullying Fund, and appropriates money in the fund to the Board of Regents of the University of New Mexico for disbursement to grant recipients selected by the board.
- S 391a EXTEND SOLAR MARKET DEVELOPMENT TAX CREDIT [POCKET VETO],** *Sen. Stewart* — ~~extends the period in which the purchase and installation of certain solar energy systems may qualify for the Solar Market Development Tax Credit from the end of 2016 to January 1, 2025. (May affect public schools)~~
- S 433 CS/S 433a INCLUDE E-CIGARETTES IN TOBACCO PRODUCTS ACT [SGND (Apr. 8) Ch. 98 (Exec Msg 14)],** *Sen. Ryan* — amends the Tobacco Products Act to change the title of the act to the “Tobacco Products, E-Cigarette and Nicotine Liquid Container Act”; adds definitions; prohibits sales of e-cigarettes and nicotine liquid containers to minors; requires nicotine liquid containers to be sold in child-resistant packaging; prohibits the online Internet sale of e-cigarettes and nicotine liquid containers to a minor in New Mexico; provides penalties; and requires the Public Education Department to revise its tobacco, alcohol, and drug free school districts policy to include e-cigarettes and nicotine liquid containers.

- S 446a INTERSTATE DISTANCE EDUCATION ACT [SGND (Apr. 2) Ch. 23 (Exec Msg 8)],** *Sen. Sapien* — amends the provisions for higher education institutions to create the Interstate Distance Education Act to facilitate student participation in distance education, defines “state authorization reciprocity agreement,” authorizes the Higher Education Department (HED) to establish and oversee the interstate education program, requires HED to provide an application form for postsecondary institution participation in the program, requires HED to monitor compliance of program participation, and exempts out-of-state proprietary schools from participation in the program.
- S 448a MILITARY ACQUISITION GROSS RECEIPTS END DATES [SGND (Apr. 1) Ch. 18 (Exec Msg 7)],** *Sen. Burt* — defers the sunset date for the deduction of gross receipts for certain military acquisition programs to June 30, 2025; and requires the Taxation and Revenue Department to compile and present an annual report on the deduction no later than December 1 of each year that the deduction is in effect to the Revenue Stabilization and Tax Policy Committee and the Legislative Finance Committee. (May affect public schools)
- S 506a DISABLED VETERAN PROPERTY TAX EXEMPTIONS [SGND (Apr. 10) Ch. 126 (Exec Msg 18)],** *Sen. Payne* — provides that a disabled veteran’s property tax exemption may remain on subsequently transferred property for the remainder of the year or may be attached to new property beginning on or after January 1, 2016.

SENATE JOINT MEMORIALS

- SJM 13 “NM ROBOTICS EDUCATION & COMPETITION WEEKEND,”** *Sen. Kernan* — requests that certain state agencies recognize, support, and promote robotics education and competition in New Mexico; and requests the Governor to proclaim the first weekend in May as “New Mexico Robotics Education and Competition Weekend.”
- SJM 17 “4-H DAY,”** *Sen. Woods* — declares February 17, 2015 as “4-H Day” in recognition of the contributions of 4-H to the state.

SENATE JOINT RESOLUTION

- SJR 7aaa SANTA FE COUNTY PROPERTY DISPOSAL,** *Sen. Rodriguez* — ratifies and approves the transfer of approximately 11 acres of real property to the New Mexico School for the Arts; provides that the price for the property shall be the current appraised value plus closing and other necessary costs; provides that the General Services Department shall grant a right-of-way easement to the New Mexico School for the Arts for access and egress through or across state property; provides that if the New Mexico School for the Arts terminates and there is no successor school, the property shall revert to the state; and provides that the written purchase agreement for the transfer of the property shall be reviewed by the Capitol Buildings Planning Commission prior to the final execution of the agreement.

SENATE MEMORIALS

- SM 1** **“ALBUQUERQUE WEST SIDE DAY,”** *Sen. Padilla* — proclaims February 19, 2015 “Albuquerque West Side Day.”
- SM 2** **COLLEGE STUDENTS AS 3RD GRADE READING MENTORS,** *Sen. Lopez* — requests that the LESC, in cooperation with the Public Education Department (PED) and the Higher Education Department (HED), establish a work group to study the feasibility of creating a program in which college students serve as reading mentors and tutors to students in grade 3; describes the membership of the work group; and requests that the LESC, together with PED and HED, report the results of the study and any recommendations to the Legislature and the Governor before the 2016 legislative session.
- SM 7** **“FFA DAY,”** *Sen. Woods* — declares February 18, 2015 as “FFA Day.”
- SM 13** **“ENLACE NEW MEXICO DAY,”** *Sen. M. Sanchez* — proclaims January 22, 2015 “ENLACE New Mexico Day” in the Senate.
- SM 14** **“SENIOR CITIZENS DAY,”** *Sen. M. Sanchez* — declares January 27, 2015 “Senior Citizens Day” in the Senate.
- SM 21** **“NEW MEXICO GRADS DAY,”** *Sen. Morales* — proclaims February 18, 2015 “New Mexico GRADS Day” in the Senate.
- SM 30** **NM PRIVATE-SECTOR EDUCATION PARTNERSHIPS,** *Sen. Stewart* — recognizes private-sector organizations for their involvement, commitment, and voluntary contributions to science, technology, engineering, and mathematics education partnerships; and requests that the organizations report their progress to the LESC during the 2015 interim. [Identical to HM 21]
- SM 32** **“SCHOOL NUTRITION DAY,”** *Sen. Campos* — declares January 28, 2015 “School Nutrition Day” in the Senate.
- SM 35** **NM SPEECH-LANGUAGE & HEARING ASSOCIATION DAY,** *Sen. Sapien* — proclaims February 20, 2015 “New Mexico Speech-Language and Hearing Association Day” at the Senate; and that professional audiologists and speech language pathologists be recognized for their valuable work. [Related to SM 36, HM 3, and HM 4]
- SM 36** **“BETTER HEARING & SPEECH MONTH,”** *Sen. Sapien* — requests that the Governor designate the month of May “Better Hearing and Speech Month.” [Related to SM 35, HM 3, and HM 4]
- SM 37** **“DEVELOPMENTAL DISABILITIES AWARENESS MONTH,”** *Sen. Rodriguez* — recognizes the value, respect, and dignity of individuals who have developmental disabilities and requests the Governor to proclaim the month of March 2015 “Developmental Disabilities Awareness Month.”

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- SM 42** **GENDER CHANGE EFFORTS WORKING GROUP**, *Sen. Candelaria* — requests that the Secretary of Health convene a work group to review the practices and efforts to change the sexual orientation, gender identity, or gender expression of patients under 18 years of age in New Mexico; and compile and make available to the public a report that includes a survey of reparative, conversion, and other change efforts under way throughout the state.
- SM 43** **CONCERN ABOUT YOUNG PEOPLE & GUN VIOLENCE DAY**, *Sen. Rodriguez* — requests that the Governor declare October 22, 2015 “Day of Concern about Young People and Gun Violence.”
- SM 48** **NM YOUNG DISABILITY LEADERS**, *Sen. Ortiz y Pino* — recognizes New Mexico Young Disability Leaders for its contributions in providing awareness and understanding of disabilities; and requests the Public Education Department, to encourage each school district to use an established disability curriculum that incorporates the goals for disability history and awareness instruction.
- SM 49** **“NEW MEXICO MESA DAY,”** *Sen. Beffort* — declares March 17, 2015 “New Mexico MESA Day” at the Senate and recognizes New Mexico MESA, Inc., for its dedication to preparing minority students for careers in mathematics, engineering, and the sciences. [Related to HM 62]
- SM 54** **“UNM DAY,”** *Sen. M. Sanchez* — declares February 9, 2015 “UNM Day” in the Senate and commends the University of New Mexico for its service and dedication to the residents of New Mexico. [Similar to HM 57]
- SM 57** **“I AM NM PUBLIC SCHOOLS DAY,”** *Sen. Sapien* — declares February 19, 2015 “I Am New Mexico Public Schools Day” in the Senate and resolves that New Mexico educators, administrators, and support personnel be celebrated for the positive changes that they bring to the lives of children.
- SM 58** **“COMMUNITY COLLEGE DAY,”** *Sen. Sapien* — declares February 11, 2015 “Community College Day” in the Senate, and that the college all-state academic teams from 15 community colleges across the state be recognized. [Related to HM 64]
- SM 61** **NM LIBRARY NEEDS ASSESSMENT**, *Sen. M. Sanchez* — requests that the New Mexico State Library support a needs assessment of New Mexico libraries and support and assist with a statewide conference to identify policies and goals for improved library services. [Identical to HM 48]
- SM 63** **“PUBLIC EDUCATOR APPRECIATION DAY,”** *Sen. Morales* — declares February 16, 2015 “Public Educator Appreciation Day” in the Senate, and that public educators be acknowledged for their immeasurable contributions, hard work, and dedication to New Mexico public school students and their parents. [Related to HM 68]
- SM 64** **“AUTISM DAY,”** *Sen. Morales* — declares February 16, 2015 “Autism Day” in the Senate. [Related to HM 58]

- SM 69** **RECONVENE J. PAUL TAYLOR CHILDHOOD TASK FORCE**, *Sen. Ortiz y Pino* — requests that the J. Paul Taylor Early Childhood Task Force be reconvened to support the implementation and sustainability of its recommended Early Childhood Behavioral Health Action Plan and the Child Abuse Prevention Plan, to recommend best practices for a trauma-informed community service and state delivery system, and to expand its membership; and requests review of task force recommendations by the Legislative Finance Committee and the Legislative Health and Human Services Committee. [Identical to HM 47]
- SM 70** **BOYS & GIRLS CLUBS OF NM**, *Sen. Pirtle* — recognizes the Boys and Girls Clubs of New Mexico and honors the valuable services they provide to the young people of New Mexico and their families.
- SM 73** **CONTINUE EXPLOITED MINOR & SAFE HARBOR STUDY**, *Sen. Torraco* — requests the continuation during the 2015 interim of a task force created in 2014 to study the delivery of services to sexually exploited children in New Mexico; requests that this task force collect certain data; and further requests that the task force report on the data collected and provide recommendations to the Legislative Health and Human Services Committee and to the appropriate interim committee for courts and corrections no later than November 2015. (May affect public schools)
- SM 75** **“NM EDUCATION POWERHOUSE CONFERENCE DAY,”** *Sen. Morales* — declares February 28, 2015 “NM Education Powerhouse Conference Day” in the Senate.
- SM 78** **“CHESS DAY,”** *Sen. Candelaria* — declares February 17, 2015 “Chess Day” in the Senate.
- SM 100** **“NORTHERN NM UNIVERSITY DAY,”** *Sen. Martinez* — declares February 18, 2015 “Northern New Mexico University Day” in the Senate and recognizes the university for its role in providing postsecondary educational opportunities to northern New Mexicans.
- SM 105** **ESTABLISH HIGH-QUALITY CAREER PATHWAYS**, *Sen. Sapien* — requests that the Higher Education Department, the Public Education Department, and the Workforce Solutions Department collaborate to establish high-quality career pathways that bridge high school curricula, postsecondary studies, and the 21st Century job opportunities for all New Mexico students and report their findings and progress to the LESC by November 1, 2015. [Identical to HM 14]
- SM 114** **“NM ATHLETIC TRAINER DAY,”** *Sen. O’Neill* — declares March 4, 2015 “New Mexico Athletic Trainer Day” in the Senate. [Related to HM 40]
- SM 115** **ADOLESCENT TREATMENT FACILITIES EVALUATION**, *Sen. Ortiz y Pino* — requests a task force with prescribed membership under the direction of the chairman of the University of New Mexico School of Medicine’s Department of Psychiatry and Behavioral Sciences to perform an independent evaluation of the Adolescent Treatment Hospital and the Adolescent Residential Treatment Facility and make recommendations for improvement to the Legislative Health and Human Services Committee no later than November 1, 2015.

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PUBLIC SCHOOL-RELATED LEGISLATION
52ND LEGISLATURE, 1ST REGULAR SESSION, 2015

- SM 119** **“ADULT EDUCATION & LITERACY DAY,”** *Sen. Candelaria* — declares March 4, 2015 “Adult Education and Literacy Day” in the Senate.
- SM 122** **BUSINESS PROFESSIONALS OF AMERICA,** *Sen. Campos* — requests that the Higher Education Department support efforts of the New Mexico chapter of the Business Professionals of America to establish chapters at the postsecondary level to assist with training well-prepared, career-oriented, skilled, certified, and motivated future state and national workforce members.
- SM 124** **ARTESIA HIGH SCHOOL FOOTBALL TEAM, CONGRATS,** *Sen. Kernan* — congratulates the 2014 Artesia High School football team for winning the 2014 state championship.
- SM 126** **“SUPER PI DAY NEW MEXICO,”** *Sen. Soules* — declares March 14 (3.14) to be “Super Pi Day New Mexico” in the Senate.
- SM 130** **STUDY MATH TEACHER COMPETENCY UPDATE,** *Sen. Kernan* — requests that the Secretary of Public Education study the feasibility of updating required competencies in mathematics for entry-level elementary teachers and present a report on the progress of the study to the LESC prior to December 1, 2015.
- SM 135** **STUDY SCHOOL FUNDING ISSUES,** *Sen. Pinto* — requests that the LESC and Legislative Finance Committee (LFC), together with the Public Education Department, the Department of Finance and Administration, the Public School Capital Outlay Council, and representatives of stakeholder groups study the provisions of federal and state laws relating to federal Impact Aid and other federal payment-in-lieu-of-taxes provisions; the public school funding formula size adjustment factor relating to population centers and rural, isolated schools in the same school district; the effect of federal “sequestration” of funds; relevant changes in federal and state law since implementation of the public school capital outlay standards-based process; and report the results of the study to the LESC, the LFC, and the Governor before the 2016 legislative session.