

NOTE: As provided in LFC policy, this report is intended only for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version (in HTML & Adobe PDF formats) is available on the Legislative Website. The Adobe PDF version includes all attachments, whereas the HTML version does not. Previously issued FIRs and attachments may be obtained from the LFC's office in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT



SPONSOR: Miera DATE TYPED: 02/07/02 HB HJM55

SHORT TITLE: Report of Special Master in Zuni Lawsuit SB _____

ANALYST: Kehoe

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

State Department of Education (SDE)

SUMMARY

Synopsis of Bill

House Joint Memorial 55 requests that the Public School Capital Outlay Council (PSCOC) and Public School Capital Outlay Task Force (PSCOTF) consider the findings of fact and conclusion of the law contained in the report of the special master regarding the case of ZUNI, Et AL. v. THE STATE OF NEW MEXICO. Particularly, the PSCOC and PSCOTF is requested to consider the findings of fact and conclusions relative to special legislative appropriations when developing a formula for determining grants to public schools pursuant to the Public School Capital Outlay Act.

Significant Issues

PSCOTF is currently assessing and monitoring the progress and effectiveness of the programs administered pursuant to the Public School Capital Outlay and the Public School Capital Improvements Acts. PSCOTF did not recommend specific legislation or funding for FY03, pending the results of the 3D/International assessment and the special master's report relative to the Zuni litigation. However, PSCOTF has appointed a subcommittee to review the current statutory formula for determining the state's share of project funding under the standards-based program to take effect beginning September 1, 2003. A preliminary report to the LFC in December 2001 indicates the subcommittee has agreed on factors that should be included in the formula. The factors include: tax capacity, local effort and other available revenues.

House Joint Memorial 55 – Page 2

The current formula does not account for other revenues available to a school district for capital outlay projects, such as direct legislative appropriations. To date, the subcommittee has agreed that the equity of the formula would be improved by including a subtractive factor that takes into account the availability of the following revenues: direct legislative appropriations, 20 percent of local revenues, forest reserve payments and impact aid funds, and payments in lieu of taxes made for capital outlay purposes.

LMK/ar