

FORTY-SIXTH LEGISLATURE  
SECOND SESSION, 2004

SB 399/a

February 7, 2004

Madam President:

Your **EDUCATION COMMITTEE**, to whom has been referred

**SENATE BILL 399**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 22, line 21, through page 23, line 21, strike Subsection K in its entirety and insert in lieu thereof the following new subsection:

"K. Up to four million dollars (\$4,000,000) from the fund may be expended annually by the council in fiscal years 2005 through 2009 for grants to school districts for the purpose of making lease payments for classroom facilities, including facilities leased by charter schools. The grants shall be made upon application by the school districts and pursuant to rules adopted by the council and the following criteria:

(1) the amount of a grant to a school district shall not exceed:

(a) the actual annual lease payments owed for leasing classroom space for schools, including charter schools, in the district; or

(b) three hundred dollars (\$300) multiplied by the number of MEM using the leased classroom facilities; provided that, if the total grants awarded pursuant to this paragraph would exceed the total annual amount available, the rate specified in this subparagraph shall be reduced proportionately;

(2) a grant received for the lease payments of a charter school may be used by that charter school as a state match necessary to obtain federal grants pursuant to the federal No Child Left Behind Act of 2001;

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(3) at the end of each fiscal year, any unexpended or unencumbered balance of the appropriation shall revert to the fund; and

(4) as used in this subsection, "MEM" means the total full-time-equivalent enrollment using leased classroom facilities in the final funded prior school year."".

The roll call vote on Amendment No. 1 was 6 For 0 Against.

Yes: 6

No: 0

Excused: Boitano, Garcia, Romero

Absent: None

2. On page 22, line 13, strike "year 2004" and insert in lieu thereof "years 2004 through 2007".

3. On page 22, line 16, strike "2004" and insert in lieu thereof "2007".

4. On page 57, between lines 8 and 9, insert the following new section:

"Section 21. TEMPORARY PROVISION--APPROPRIATION FOR CORRECTING DEFICIENCIES--EXTENSION OF EXPENDITURE PERIOD.--The period of time in which the appropriation made from the general fund to the public school capital outlay fund pursuant to Subsection D of Section 15 of Chapter 338 of Laws 2001 to correct outstanding deficiencies pursuant to Section 22-24-4.1 NMSA 1978 may be expended is extended through fiscal year 2007. Any unexpended or unencumbered balance remaining at the end of fiscal year 2007 shall not revert but shall be used for the purpose of providing grant assistance pursuant to Section 22-24-5 NMSA 1978."

5. Renumber the succeeding sections accordingly.

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and thence referred to the **FINANCE COMMITTEE.**

Respectfully submitted,

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Cynthia Nava, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 4 For 1 Against  
Yes: 4  
No: Sharer  
Excused: Cravens, Garcia, Romero, Sanchez, B.  
Absent: None

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