

**FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007**

March 16, 2007

Mr. Speaker:

Your **APPROPRIATIONS AND FINANCE COMMITTEE**, to whom has been referred

**SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 395, as amended**

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

1. Strike House Education Committee Amendments 4 and 7.
2. On page 40, line 18, strike "2007 through fiscal year 2011" and insert in lieu thereof "2009 through fiscal year 2013".
3. On page 41, between lines 19 and 20, insert the following new section:

"Section 11. Section 22-24-7 NMSA 1978 (being Laws 2001, Chapter 338, Section 12, as amended) is amended to read:

"22-24-7. PUBLIC SCHOOL CAPITAL OUTLAY OVERSIGHT TASK FORCE--
CREATION--STAFF.--

A. The "public school capital outlay oversight task force" is created. The task force consists of [~~twenty-four~~] twenty-six members as follows:

(1) the secretary of finance and administration or the secretary's designee;

(2) the secretary of public education or the secretary's designee;

(3) the state investment officer or the state investment officer's designee;

(4) the speaker of the house of representatives or the speaker's designee;

(5) the president pro tempore of the senate or the president pro tempore's designee;

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(6) the [~~chairmen~~] chairs of the house appropriations and finance committee, the senate finance committee, the senate education committee and the house education committee or their designees;

(7) two minority party members of the house of representatives, appointed by the New Mexico legislative council;

(8) two minority party members of the senate, appointed by the New Mexico legislative council;

(9) a member of the interim legislative committee charged with the oversight of Indian affairs, appointed by the New Mexico legislative council, provided that the member shall rotate annually between a senate member and a member of the house of representatives;

(10) a member of the house of representatives and a member of the senate who represent districts with school districts receiving federal funds commonly known as "PL 874" funds or "impact aid", appointed by the New Mexico legislative council;

~~[(10)]~~ (11) two public members who have expertise in education and finance appointed by the speaker of the house of representatives;

~~[(11)]~~ (12) two public members who have expertise in education and finance appointed by the president pro tempore of the senate;

~~[(12)]~~ (13) three public members, two of whom are residents of school districts that receive grants from the federal government as assistance to areas affected by federal activity authorized in accordance with Title 20 of the United States Code, appointed by the governor; and

~~[(13)]~~ (14) three superintendents of school districts or their designees, two of whom are from school districts that receive grants from the federal government as assistance to areas affected by federal activity authorized in accordance with Title 20 of the United States Code, appointed by the New Mexico legislative council in consultation with the governor.

B. The chair of the public school capital outlay

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oversight task force shall be elected by the task force. The task force shall meet at the call of the chair, but no more than four times per calendar year.

C. Non-ex-officio members of the task force shall serve at the pleasure of their appointing authorities.

D. The public members of the public school capital outlay oversight task force shall receive per diem and mileage pursuant to the Per Diem and Mileage Act.

E. The legislative council service, with assistance from the public school facilities authority, the department of finance and administration, the public education department, the legislative education study committee and the legislative finance committee, shall provide staff for the public school capital outlay oversight task force."".

4. On page 66, between lines 12 and 13, insert the following new section:

"Section 26. DELAYED REPEAL--REVERSION OF FUND BALANCE.--

A. On July 1, 2013, Sections 22-24-5.8 and 22-24-12 NMSA 1978, as enacted by Sections 7 and 8 of this act, and Section 10 of this act are repealed.

B. Upon the repeal of Section 22-24-12 NMSA 1978, the proportion of the unencumbered balance of the public school facility opportunity fund that is attributable to proceeds of severance tax bonds shall revert to the severance tax bonding fund and the remaining unencumbered balance shall revert to the general fund."

5. Renumber all sections in accordance with this amendment.

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Respectfully submitted,

Henry "Kiki" Saavedra, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 14 For 1 Against
Yes: 14
No: King
Excused: Lujan, A., Varela, Wallace
Absent: None

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