1	SENATE BILL 389
2	48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008
3	INTRODUCED BY
4	Gay G. Kernan
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8	FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE
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10	AN ACT
11	RELATING TO EDUCATION; RECOGNIZING REGIONAL EDUCATION
12	COOPERATIVES AS LOCAL EDUCATIONAL AGENCIES; MAKING AN
13	APPROPRIATION.
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15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
16	Section 1. Section 22-2B-3 NMSA 1978 (being Laws 1993,
17	Chapter 232, Section 3, as amended) is amended to read:
18	"22-2B-3. REGIONAL EDUCATION COOPERATIVES AUTHORIZED
19	A. The [state board] <u>department</u> may authorize the
20	existence and operation of "regional education cooperatives".
21	Upon authorization by the [state board] department, local
22	school boards may join with other local school boards or other
23	state-supported educational institutions to form cooperatives
24	to provide education-related services. Cooperatives shall be
25	deemed individual state agencies administratively attached to
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the department [of education]; provided that:

(1) pursuant to the rules of the [state board] department, cooperatives may own, and have control and management over, buildings and land independent of the director of the property control division of the general services department;

7 (2) cooperatives shall not submit budgets to
8 the department of finance and administration but shall submit
9 them to the department [of education]. The [state board]
10 department shall, by rule, determine the provisions of the
11 Public School Finance Act relating to budgets and expenditures
12 that are applicable to cooperatives; and

(3) pursuant to the rules of the [state board] department, the [state superintendent] secretary may, after considering the factors specified in Section 22-8-38 NMSA 1978, designate a cooperative council as a board of finance with which all funds appropriated or distributed to it shall be deposited. If such a designation is not made or if such a designation is suspended by the [state superintendent] secretary, the money appropriated or to be distributed to a cooperative shall be deposited with the state treasurer. Unexpended or unencumbered balances in the account of a cooperative shall not revert.

B. Cooperatives are local educational agencies and are authorized to perform service functions for public schools. .171131.1 - 2 -

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[B.] C. The [state board] department shall, by rule, establish minimum criteria for the establishment and operation of cooperatives. The [state board] department shall also establish procedures for oversight of cooperatives to ensure compliance with [state board] department rule. Cooperatives shall be exempt from the provisions of the Personnel Act.

[C.] D. The [state board] department, with full participation by the cooperatives, shall develop a statewide 10 long-range plan for educational and technical assistance activities in public and charter schools served by the 12 The [state board] department and cooperatives cooperatives. shall report on the initial planning activities to the legislative finance committee, the legislative education study committee and the office of the governor by November 15, 2001 and shall provide annual reports thereafter."

Section 2. APPROPRIATION .-- Two million seven hundred thousand dollars (\$2,700,000) is appropriated from the general fund to the public education department to be distributed in fiscal year 2009 equally in twelve monthly installments equally to the nine regional education cooperatives to fund operational expenditures in fiscal year 2009.

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