

**FIFTIETH LEGISLATURE  
SECOND SESSION, 2012**

January 25, 2012

Mr. Speaker:

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

**HOUSE BILL 3**

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

1. On page 1, line 20, strike "USCA" and insert in lieu thereof "U.S.C." both times it appears.
2. On page 2, line 12, strike the dollar amount in the General Fund column and insert in lieu thereof "2,289,680.2", and strike the dollar amount in the Total column and insert in lieu thereof "2,290,530.2".
3. On page 2, between lines 15 and 16, insert:

"If federal revenue pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 or other revenues for which the state takes credit fall short of the projected amount of sixty-nine million dollars (\$69,000,000) in fiscal year 2013, the public education department may, after exhausting any fund balance in the state-support reserve fund, request from the state board of finance a transfer of up to four million dollars (\$4,000,000) from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Laws 2004, Chapter 114, Section 12, to augment the appropriation for the state equalization guarantee distribution."
4. On page 2, line 21, strike "the office of education", and on line 22, strike "accountability of".
5. On page 2, line 25, strike "public school" and insert in lieu thereof "state equalization guarantee".
6. On page 3, line 1, strike "the office of education", and on line 2, strike "accountability of".
7. On page 3, line 5, strike "public school" and insert in lieu thereof "state equalization guarantee".
8. On page 3, line 14, after both instances of "districts", insert "and charter schools".

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9. On page 3, line 18, strike "USCA" and insert in lieu thereof "U.S.C."

10. On page 4, line 15, after "applying", insert "for".

11. On page 4, strike all of lines 18 and 19.

12. On page 4, line 23, strike the dollar amount in the General Fund column and insert in lieu thereof "27,802.6".

13. On page 4, line 25, strike "USCA" and insert in lieu thereof "U.S.C."

14. On page 4, after line 25, insert:

"The general fund appropriation to the instructional material fund contains sufficient funding for adult basic education instructional materials. The public education department shall transfer the allocation for adult basic education to the adult basic education fund pursuant to Section 22-15-9 NMSA 1978."

15. On page 5, between lines 1 and 2, insert:

"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."

16. On page 5, strike line 21.

17. Reletter the succeeding paragraphs accordingly.

18. On page 6, line 4, strike the dollar amount in the General Fund column and insert in lieu thereof "938.2".

19. On page 6, line 11, strike the dollar amount in the General Fund column and insert in lieu thereof "8,500.0".

20. On page 6, between lines 11 and 12, insert the following,

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with the dollar amounts in the General Fund column:

"(l) College and career readiness	309.4
(m) Alternative demonstration of competency	551.9".

21. On page 6, line 13, strike "appropriation" and insert in lieu thereof "appropriations".

22. On page 6, between lines 15 and 16, insert:

"The general fund appropriation to the public education department for the K-3 plus program shall only be used to provide funding for approved full-day kindergarten and grades one through three to be extended by a minimum of twenty-five instructional days to be completed prior to the start of the regular school year. K-3 plus programs shall be funded at no less than thirty percent of the preliminary unit value per student. Schools that are awarded funding for K-3 plus for the 2012-2013 school year shall be notified no later than April 15, 2012."

23. On page 6, strike all of lines 22 through 25 and insert in lieu thereof:

"The general fund appropriation for the operating budget and management system and the student, teacher accountability reporting system is contingent on the public education department providing the legislative education study committee and the legislative finance committee with direct read and report only access no later than July 1, 2012. The public education department shall take reasonable precautions, including electronic blocking or redacting, to prevent the disclosure of personally identifiable information of a student unless the parent or guardian of a minor student or a student who is no longer a minor consents in writing to the disclosure of personally identifiable information about that student; or information that would cause the department to lose federal funding under 20 U.S.C. 1232g, et seq."

24. On page 7, line 2, strike "eight-hundred-thirty-four-thousand-dollar (\$834,000)" and insert in lieu thereof "nine-hundred-thirty-eight-thousand-two-hundred-dollar (\$938,200)".

25. On page 8, between lines 4 and 5, insert the following, with the dollar amounts in the General Fund column:

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"OTHER SPECIAL APPROPRIATIONS

(1) LEGISLATIVE COUNCIL SERVICE: 100.0

To update data from the 2007-2008 public school funding formula study.

(2) PUBLIC EDUCATION DEPARTMENT: 4,000.0

For emergency support to school districts and charter schools experiencing shortfalls. All requirements for distribution of funds shall be in accordance with Section 22-8-30 NMSA 1978. The general fund appropriation is from the separate account of the appropriation contingency fund dedicated for the purpose of implementing and maintaining educational reforms created in Laws 2004, Chapter 114, Section 12. Prior to the distribution of any emergency supplemental funds, the secretary of public education shall provide the legislative education study committee and the legislative finance committee with a report outlining: (a) the criteria used to qualify for funds; (b) the financial status of recipients, including the status of recipients' financial audits; and (c) any cost-saving measures recipients implemented before applying for funds. In no event shall money be distributed to any school district or charter school having cash and invested reserves, or other resources or any combination of cash and invested reserves, equaling five percent or more of its operating budget.

(3) PUBLIC EDUCATION DEPARTMENT: 1,000.0

For the common core transition."

26. Revise all totals and subtotals to correspond with these amendments.,

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

Respectfully submitted,

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Rick Miera, Chairman

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

Date \_\_\_\_\_

The roll call vote was 9 For 0 Against  
Yes: 9  
No: 0  
Excused: Hall, JC, Nuñez  
Absent: None

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