

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 104

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

BEN D. ALTAMIRANO

FOR THE LEGISLATIVE FINANCE COMMITTEE

AN ACT

RELATING TO EDUCATION; PROVIDING FOR OPTIONAL FULL-DAY  
KINDERGARTEN PROGRAMS; AUTHORIZING THE ISSUANCE OF SEVERANCE  
TAX BONDS; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-2-8.1 NMSA 1978 (being Laws 1986,  
Chapter 33, Section 2, as amended) is amended to read:

"22-2-8.1. LENGTH OF SCHOOL DAY--MINIMUM --

A. Regular students shall be in school-directed  
programs, exclusive of lunch, for a minimum of the following:

(1) kindergarten, for half-day programs, two  
and one-half hours per day or four hundred fifty hours per  
year or, for full-day programs, five hours per day or nine  
hundred hours per year;

(2) grades one through six, five and one-half

Underscored material = new  
[bracketed material] = delete

1 hours per day or nine hundred ninety hours per year; and

2 (3) grades seven through twelve, six hours  
3 per day or one thousand eighty hours per year.

4 B. Nothing in this section precludes a local  
5 school board from setting length of school days in excess of  
6 the minimum requirements established by Subsection A of this  
7 section.

8 C. The state superintendent may waive the minimum  
9 length of school days in those districts where such minimums  
10 would create undue hardships as defined by the state board. "

11 Section 2. Section 22-8-19 NMSA 1978 (being Laws 1974,  
12 Chapter 8, Section 9, as amended) is amended to read:

13 "22-8-19. EARLY CHILDHOOD EDUCATION PROGRAM UNITS. --

14 A. The number of early childhood education program  
15 units is determined by multiplying the early childhood  
16 education MEM by the cost differential factor 1.44. [~~No early~~  
17 ~~childhood education student shall be counted for more than 0.5~~  
18 ~~early childhood education MEM]~~ Early childhood education  
19 students enrolled in half-day kindergarten programs shall be  
20 counted for 0.5 early childhood education MEM Early  
21 childhood education students enrolled in full-day kindergarten  
22 programs that are approved by the department shall be counted  
23 for 1.0 early childhood education MEM.

24 B. For the purpose of calculating early childhood  
25 education program units, developmentally disabled three- and

Underscored material = new  
[bracketed material] = delete

1 four-year-old students shall be counted in early childhood  
2 education membership. No developmentally disabled three- or  
3 four-year-old student shall be counted for more than 0.5 early  
4 childhood education MEM "

5 Section 3. A new section of the Public School Code is  
6 enacted to read:

7 "[NEW MATERIAL] FULL-DAY KINDERGARTEN PROGRAMS. --

8 A. The state board shall adopt rules for the  
9 development and implementation of full-day kindergarten  
10 programs. Establishment of full-day kindergarten programs  
11 shall be voluntary on the part of school districts and student  
12 participation shall be voluntary on the part of parents.

13 B. Full-day kindergarten programs shall be phased  
14 in over a three-year period as follows:

15 (1) effective with the 1998-99 school year,  
16 one-third of New Mexico's kindergarten classes may be full  
17 day;

18 (2) effective with the 1999-00 school year,  
19 two-thirds of New Mexico's kindergarten classes may be full  
20 day; and

21 (3) effective with the 2000-01 school year,  
22 all of New Mexico's kindergarten classes may be full day.

23 C. School districts shall apply to the department  
24 of education to receive funding for full-day kindergarten  
25 programs. Only school districts operating full-day

Underscored material = new  
[bracketed material] = delete

1 kindergarten programs approved by the department of education  
2 shall receive funding for full-day programs pursuant to  
3 Section 22-8-19 NMSA 1978. In granting approval for funding  
4 of full-day kindergarten programs, the department of education  
5 shall give preference to school districts with schools that  
6 have the highest mobility rate determined pursuant to the  
7 rules of the department of education and schools with the  
8 highest proportion of students with limited English  
9 proficiency and students who receive free or reduced-fee  
10 lunch. "

11 Section 4. SEVERANCE TAX BONDS--PURPOSE FOR WHICH  
12 ISSUED--APPROPRIATION OF PROCEEDS.--The state board of finance  
13 may issue and sell severance tax bonds in compliance with the  
14 Severance Tax Bonding Act in an amount not exceeding twenty  
15 million dollars (\$20,000,000) when the state department of  
16 public education certifies the need for the issuance of the  
17 bonds. The state board of finance shall schedule the issuance  
18 and sale of the bonds in the most expeditious and economical  
19 manner possible upon a finding by the board that the project  
20 has been developed sufficiently to justify that the project  
21 can proceed to contract within a reasonable time. The state  
22 board of finance shall further take the appropriate steps  
23 necessary to comply with the Internal Revenue Code of 1986, as  
24 amended. The proceeds from the sale of the bonds are  
25 appropriated to the state department of public education for

. 120463. 1

Underscored material = new  
[bracketed material] = delete

1 the purpose of making distributions to school districts to  
2 meet capital outlay expenses incurred as a result of  
3 implementation of full-day kindergarten programs.  
4 Distributions shall be made to schools with approved full-day  
5 kindergarten programs on the basis of need with preference  
6 given to school districts with the lowest per-pupil assessed  
7 valuation as reflected by dividing the value of property in  
8 the school district assessed for property taxation purposes by  
9 the number of students in the school district. Any unexpended  
10 or unencumbered balance remaining at the end of fiscal year  
11 2001 shall revert to the severance tax bonding fund. If the  
12 state department of public education has not certified the  
13 need for the issuance of the bonds by the end of fiscal year  
14 2000, the authorization provided in this section shall be  
15 void.

16 Section 5. APPROPRIATION. --Fifteen million dollars  
17 (\$15,000,000) is appropriated from the general fund to the  
18 state department of public education for expenditure in fiscal  
19 year 1999 for the purpose of funding additional program units  
20 in early childhood education at the program unit value  
21 established by the superintendent of public instruction. Any  
22 unexpended or unencumbered balance remaining at the end of  
23 fiscal year 1999 shall revert to the general fund.

24 Section 6. EMERGENCY.--It is necessary for the public  
25 peace, health and safety that this act take effect immediately.

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

3  
4  
5  
6 January 27, 1998

7  
8 Mr. President:

9  
10 Your COMMITTEES' COMMITTEE, to whom has been referred

11  
12 SENATE BILL 104

13  
14 has had it under consideration and finds same to be GERMANE, in  
15 accordance with constitutional provisions, and thence referred to the  
16 EDUCATION COMMITTEE.  
17

18  
19 Respectfully submitted,

20  
21  
22  
23  
24 \_\_\_\_\_  
25 Manny M. Aragon, Chairman

Underscored material = new  
~~[bracketed material]~~ = delete

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

S0104CC1

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

3  
4  
5 February 3, 1998

6  
7 Mr. President:

8  
9 Your EDUCATION COMMITTEE, to whom has been referred

10  
11 SENATE BILL 104

12  
13 has had it under consideration and reports same with recommendation  
14 that it DO PASS, and thence referred to the FINANCE COMMITTEE.  
15

16 Respectfully submitted,

17  
18 \_\_\_\_\_  
19 Cynthi a Nava, Chai rman  
20  
21  
22  
23  
24  
25

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

Underscored material = new  
[bracketed material] = delete



(Chief Clerk)

(Chief Clerk)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Date \_\_\_\_\_

The roll call vote was 6 For 1 Against

Yes: 6

No: Rawson

Excused: Boitano, Gorham, Pinto

Absent: None

S0104ED1

Underscored material = new  
[bracketed material] = delete