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HOUSE BILL 718

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Dani ce R. Pi craux

AN ACT

RELATING TO PUBLIC SCHOOLS; DESIGNATING SPECIFIC REVENUES FOR
PAYMENT OF LEASE-PURCHASE ARRANGEMENTS UNDER THE EDUCATION
TECHNOLOGY EQUIPMENT ACT; AMENDING SECTIONS OF THE NMSA 1978;
DECLARING AN EMERGENCY.

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

Section 1. Section 6-15A-3 NMSA 1978 (being Laws 1997,
Chapter 193, Section 3) is amended to read:

"6-15A-3. DEFINITIONS. -- As used in the Education
Technology Equipment Act:

A. "debt" means an obligation payable from
ad valorem property tax revenues or the general fund of a
school district and that may be secured by the full faith and
credit of a school district and a pledge of its taxing powers;

B. "education technology equipment" means tools

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1 used in the educational process that constitute learning and
2 administrative resources and may include:

3 (1) closed-circuit television systems,
4 educational television and radio broadcasting, cable
5 television, satellite, copper and fiber-optic transmission,
6 computer, video and audio laser and CD ROM discs, video and
7 audio tapes or other technologies and the maintenance,
8 equipment and computer infrastructure information, techniques
9 and tools used to implement technology in [~~classrooms and~~
10 ~~library and media centers~~] schools and related facilities; and

11 (2) improvements, alterations and
12 modifications to, or expansions of, existing buildings or
13 personal property necessary or advisable to house or otherwise
14 accommodate any of the tools listed in Paragraph (1) of this
15 subsection;

16 C. "lease-purchase arrangement" means a financing
17 arrangement constituting debt of a school district pursuant to
18 which periodic lease payments composed of principal and
19 interest components are to be paid to the holder of the lease-
20 purchase arrangement and pursuant to which the owner of the
21 education technology equipment may retain title to or a
22 security interest in the equipment and may agree to release
23 the security interest or transfer title to the equipment to
24 the school district for nominal consideration after payment of
25 the final periodic lease payment. "Lease-purchase

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1 arrangement" also means any debt of the school district
2 incurred for the purpose of acquiring education technology
3 equipment pursuant to the Education Technology Act whether
4 designated as a lease, bond, note, loan, warrant, debenture,
5 obligation or other instrument evidencing a debt of the school
6 district;

7 D. "local school board" means the governing body
8 of a school district; and

9 E. "school district" means an area of land
10 established as a political subdivision of the state for the
11 administration of public schools and segregated geographically
12 for taxation and bonding purposes. "

13 Section 2. Section 22-25-2 NMSA 1978 (being Laws 1975
14 (S.S.), Chapter 5, Section 2, as amended) is amended to read:

15 "22-25-2. DEFINITIONS. --As used in the Public School
16 Capital Improvements Act:

17 A. "program unit" means the product of the program
18 element multiplied by the applicable cost differential factor,
19 as defined in Section 22-8-2 NMSA 1978; and

20 B. "capital improvements" means expenditures,
21 ~~[exclusive of any]~~ including payments made with respect to
22 lease-purchase arrangements as defined in the Education
23 Technology Equipment Act but excluding any other debt service
24 expenses, for:

25 (1) erecting, remodeling, making additions

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1 to, providing equipment for or furnishing public school
2 buildings;

3 (2) purchasing or improving public school
4 grounds;

5 (3) maintenance of public school buildings or
6 public school grounds, exclusive of salary expenses of school
7 district employees;

8 (4) purchasing activity vehicles for
9 transporting students to extracurricular school activities;
10 and

11 (5) purchasing computer software and hardware
12 for student use in public school classrooms. "

13 Section 3. Section 22-26-2 NMSA 1978 (being Laws 1983,
14 Chapter 163, Section 2) is amended to read:

15 "22-26-2. DEFINITIONS.--As used in the Public School
16 Buildings Act, "capital improvements" means expenditures,
17 [~~exclusive of any~~] including payments made with respect to
18 lease-purchase arrangements as defined in the Education
19 Technology Equipment Act but excluding any other debt service
20 expenses, for:

21 A. erecting, remodeling, making additions to,
22 providing equipment for or furnishing public school buildings;
23 and

24 B. purchasing or improving public school grounds. "

25 Section 4. EMERGENCY.--It is necessary for the public

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1 peace, health and safety that this act take effect
2 immediately.

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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 3, 1999
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8 Mr. Speaker:
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10 Your EDUCATION COMMITTEE, to whom has been referred
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12 HOUSE BILL 718
13

14 has had it under consideration and reports same with
15 recommendation that it DO PASS.
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17 Respectfully submitted,
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20 _____
21 Rick Miera, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 14 For 0 Against

Yes: 14

Excused: Marquardt, Stapleton

Absent: None

J: \99BillsWP\H0718

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FIRST SESSION, 1999

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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March 11, 1999

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Mr. President:

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Your EDUCATION COMMITTEE, to whom has been referred

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HOUSE BILL 718

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has had it under consideration and reports same with
recommendation that it DO PASS.

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Respectfully submitted,

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Cynthia Nava, Chairman

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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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Adopted _____ Not

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Adopted _____

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(Chief Clerk)

(Chief Clerk)

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Date _____

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The roll call vote was 5 For 1 Against

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Yes: 5

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No: Boitano

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Excused: Adair, Duran, Gorham, Jennings

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Absent: None

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