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SENATE BILL 3  
44th LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999  
INTRODUCED BY  
Cynthia Nava

AN ACT  
RELATING TO EDUCATION; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Section 1. SHORT TITLE.--This act may be cited as the "Education Appropriation Act".

Section 2. DEFINITIONS.--As used in the Education Appropriation Act:

A. "federal funds" means any payments by the United States government to state government or state agencies for specific purposes or in lieu of taxes, including grants, reimbursements and payments made in accordance with contracts or cooperative agreements, and shared revenue except those payments made in accordance with the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) and the State and Local Fiscal Assistance Act of 1972 (31 USCA 1221-1264), as amended;

B. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes severance tax income fund and federal Mineral Lands Leasing Act receipts; and

C. "other state funds" means:

(1) unencumbered nonreverting balances in state agency accounts, other than in

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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1 internal service funds accounts, appropriated by the Education Appropriation Act;

2 (2) all revenue available to state agencies from sources other than the  
3 general fund, internal service funds, interagency transfers and federal funds; and

4 (3) all revenue, the use of which is restricted by statute or agreement.

5 Section 3. **FORMAT.** --The general format of the appropriations set forth in the Education  
6 Appropriation Act with respect to symbols used, column headings and amounts stated are those  
7 used in the General Appropriation Act of 1998.

8 Section 4. **APPROPRIATIONS.** --The appropriation for public school support in fiscal year  
9 2000 shall be:

10 **PUBLIC SCHOOL SUPPORT:**

11 (1) State equalization guarantee:	1,354,263.1	2,000.0			1,356,263.1
12 (2) Transportation distributions:					
13 (a) Operations	71,825.8				71,825.8
14 (b) School-owned bus					
15 replacements	3,503.9				3,503.9
16 (c) Contractor-owned bus					
17 rent fees	12,126.5				12,126.5
18 Subtotal	87,456.2				87,456.2
19 (3) Supplemental distributions:					
20 (a) Out-of-state tuition	475.0				475.0
21 (b) Emergency	850.0				850.0
22 (c) Emergency capital outlay	805.0				805.0
23 Subtotal	2,130.0				2,130.0

24 The rate of distribution of the state equalization guarantee distribution shall be based on  
25 a program unit value determined by the superintendent of public instruction. The superintendent

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
INSTRUCTIONAL MATERIAL FUND:	27,234.4				27,234.4
EDUCATIONAL TECHNOLOGY FUND:	4,400.0				4,400.0
INCENTIVES FOR SCHOOL IMPROVEMENT FUND:	1,300.0				1,300.0
PUBLIC SCHOOL CAPITAL IMPROVEMENTS FUND:	6,595.5				6,595.5
FEDERAL FLOW THROUGH:				238,280.0	238,280.0

of public instruction shall establish a preliminary unit value to establish tentative budgets for the 1999-2000 school year. Upon completion of final budgets or verification of the number of units statewide for fiscal year 2000 but no later than January 31, the superintendent of public instruction may adjust the program unit value.

The general fund appropriation in the state equalization guarantee distribution reflects the deduction of federal revenues pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that includes payments commonly known as "impact aid funds" pursuant to 20 USCA 7701 et seq., formerly known as "P.L. 874 funds".

The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts otherwise unappropriated.

Any unexpended or unencumbered balance in the distributions authorized remaining at the end of fiscal year 2000 from appropriations made from the general fund shall revert to the general fund.

The appropriation to the instructional material fund is made from the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts.

Prior to distribution of the funds included in the general fund appropriation to the incentives for school improvement fund, the state board of education shall adopt regulations for

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
all schools to provide financial incentives to individual schools that exceed expected academic performance and student behavior standards as measured by the school's targeted goals and objectives for improvement of student performance. The board shall submit its regulations to the legislative education study committee for review.					
TOTAL PUBLIC SCHOOL SUPPORT:	1,483,379.2	2,000.0			1,485,379.2
ADULT BASIC EDUCATION FUND:	4,700.0				4,700.0
STATE DEPARTMENT OF PUBLIC EDUCATION:					
(1) Administration:					
(a) Personal services	5,613.2	134.2	36.4	3,089.6	8,873.4
(b) Employee benefits	1,563.8	25.6	9.6	857.4	2,456.4
(c) In-state travel	300.4	1.8	5.0	189.7	496.9
(d) Maintenance and repairs	31.3	73.2		23.9	128.4
(e) Supplies and materials	54.6	113.3	27.7	168.4	364.0
(f) Contractual services	288.7	54.0		1,265.3	1,608.0
(g) Operating costs	377.8	27.1	3.7	708.1	1,116.7
(h) Other costs			2,427.6	168.2	2,595.8
(i) Capital outlay		86.0	2.4	170.2	258.6
(j) Out-of-state travel	15.0	2.1	1.2	81.2	99.5
(k) Other financing uses	2.6	.1		152.4	155.1
Authorized FTE: 168.0 Permanent; 68.0 Term; 2.0 Temporary					
Subtotal	8,247.4	517.4	2,513.6	6,874.4	18,152.8

The general fund appropriation to the state department of public education includes two hundred sixty-two thousand eight hundred dollars (\$262,800) from federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts.

Unexpended or unencumbered balances in the state department of public education remaining at

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
(2) Cost-of-living study continuation	70.0				70.0
(3) Apprenticeship assistance:	600.0				600.0
<b>REGIONAL EDUCATION COOPERATIVES:</b>					
(1) Central	1,619.3		1,791.5	3,410.8	
(2) High Plains	2,000.0		3,457.0	5,457.0	
(3) Region 1x	140.0		2,827.9	2,967.9	

Section 5. SEVERABILITY.--If any part or application of this act is held invalid, the remainder or its application to other situations or persons shall not be affected.

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

FORTY- FOURTH LEGISLATURE  
FIRST SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

February 17, 1999

Mr. Chairman:

I propose to the SENATE EDUCATION COMMITTEE the following amendments to

SENATE BILL 3

1. On page 2, line 11, strike "1,354,263.1" and insert in lieu thereof "1,439,282.7".
2. On page 2, line 13, under the "General Fund" column strike "71,825.8" and insert in lieu thereof "73,457.9".
3. On page 2, line 15, under the "General Fund" column strike "3,503.9" and insert in lieu thereof "3,503.8".
4. On page 2, line 18, under the "General Fund" column

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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strike "87,456.2" and insert in lieu thereof "89,088.2".

5. On page 3, between lines 4 and 5, insert:

"The appropriation for the state equalization guarantee distribution contains sufficient funds to provide a seven percent salary increase for teachers and at least an average five percent salary increase for other certified and non-certified staff, including transportation employees.

The appropriation for the state equalization guarantee distribution contains sufficient funds for the purpose of funding additional program units in early childhood education. The state department of public education shall distribute funds, upon program approval, to school districts that develop optional preschool and literacy programs to meet developmental and literacy needs of children age three through grade two. Such programs may include full-day kindergarten, half-day, summer or transition programs for children ages three through five or intensive literacy programs for students in kindergarten through second grade to ensure that all children are reading by the time they enter grade three. The department shall report to the legislative education study committee and the legislative finance committee on program implementation by November 1999. "

6. On page 3, line 15, under the "General Fund" column strike "27,234.4" and insert in lieu thereof "33,681.9".

7. On page 3, line 18, under the "General Fund" column strike "4,400.0" and insert in lieu thereof "9,383.2".

8. On page 3, line 20, strike "1,300.0" and insert in lieu thereof "1,900.0".

9. On page 3, line 22, under the "General Fund" column, strike "6,595.5" and insert in lieu thereof "23,029.7".

10. On page 3, strike lines 24 and 25.

11. On page 4, strike lines 1 through 4.

12. On page 4, line 5, strike "1,483,379.2" and insert in lieu thereof "1,598,495.7".

13. On page 4, line 6, under the "Federal Funds" column insert "2,254.7".

14. On page 4, line 9, strike "5,613.2" and insert in lieu thereof "5,651.9", strike "134.2" and insert in lieu thereof "99.5" and strike "36.4" and insert in lieu thereof "32.4".

15. On page 4, line 10, strike "1,563.8" and insert in lieu thereof "1,564.9" and strike "9.6" and insert in lieu thereof "8.5".

16. On page 4, line 11, strike "300.4" and insert in lieu thereof "298.4" and



Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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strike "5.0" and insert in lieu thereof "7.0".

17. On page 4, line 12, strike "31.3" and insert in lieu thereof "104.1", strike "73.2" and insert in lieu thereof ".3" and under the column "Intrnl Svc Funds/Interagency Trnsf" insert ".1".

18. On page 4, line 13, strike "54.6" and insert in lieu thereof "40.8", strike "113.3" and insert in lieu thereof "124.1" and strike "27.7" and insert in lieu thereof "30.7".

19. On page 4, line 14, strike "288.7" and insert in lieu thereof "181.1" and strike "54.0" and insert in lieu thereof "161.6".

20. On page 4, line 15, strike "377.8" and insert in lieu thereof "388.6" and strike "27.1" and insert in lieu thereof "16.3".

21. On page 4, line 20, strike "168.0" and insert in lieu thereof "172.0", strike "68.0" and insert in lieu thereof "70.0" and strike "2.0" and insert in lieu thereof ".2".

22. On page 5, strike lines 2 and 3.

23. On page 5, between lines 3 and 4, insert the following paragraphs under the item column and the general fund

column:

"(4) Student assessment and testing:	1,433.0
(5) Advanced placement	400.0
(6) Career education opportunity program	500.0
(7) Computers in the schools	1,000.0
(8) Dropout prevention	700.0
(9) Dual Language Initiative	200.0
(10) GRADS-teen parents	750.0
(11) Re: Learning	1,000.0
(12) Project Lead	200.0
(13) Statewide service learning program	350.0
(14) Student alternatives	3,000.0

Included in the general fund appropriation for student assessment and testing is one hundred thousand dollars (\$100,000) for curriculum analysis of test results to be provided to all teachers in grades three through nine."

24. On page 5, line 5, strike "1,619.3", "1,791.5" and "3,410.8" and insert in lieu thereof under the "Other State Funds" column "1,619.3" and under the "Federal Funds" column "1,791.5".

25. On page 5, line 6, strike "2,000.0", "3,457.0" and "5,457.0" and insert in lieu thereof under the "Other State Funds" column "2,000.0" and under the "Federal Funds" column

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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"3,457.0".

26. On page 5, line 7, strike "1x" and insert in lieu thereof "IX".

27. On page 5, line 7, strike "140.0", "2,827.9" and "2,967.9" and insert in lieu thereof under the "Other State Funds" column "140.0" and under the "Federal Funds" column "2,827.9".

28. Adjust all totals and subtotals accordingly.

29. Renumber all sections and subsections.

Respectfully submitted,

\_\_\_\_\_

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

SB 3/a

March 3, 1999

Mr. President:

Your FINANCE COMMITTEE, to whom has been referred

SENATE BILL 3, as amended

has had it under consideration and reports same with recommendation that it DO NOT PASS, but that

SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 3

DO PASS, amended as follows:

1. On page 5, line 4, strike "1,438,272.2" and insert in lieu thereof "1,430,489.6".
2. On page 5, line 6, strike "72,957.9" and insert in lieu thereof "73,121.1".
3. On page 5, strike lines 19 through 25 and on page 6, strike lines 1 through 3.

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
4. On page 6, line 5, after "five" insert "and one-half".					
5. On page 6, line 9, after "five" insert "and one-half".					
6. On page 7, line 15, strike "7,233.2" and insert in lieu thereof "5,000.0".					
7. On page 7, between lines 15 and 16 insert:					

"The distribution to the school districts from the education technology fund shall be made pursuant to the provisions of Senate Finance Committee Substitute for Senate Bill 769 or similar legislation of the forty-fourth legislature, first session, if that act becomes law."

**FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999**

- 8. Revise all totals and subtotals to correspond with these amendments.

Respectfully submitted,

\_\_\_\_\_  
Ben D. Altamirano, Chairman

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

Date \_\_\_\_\_

The roll call vote was 9 For 2 Against

Yes: 9

No: Ingle, Wilson

Excused: Carraro, Lyons

Absent: None

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Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 3

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

AN ACT

RELATING TO EDUCATION; MAKING APPROPRIATIONS.

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

Section 1. **SHORT TITLE.**--This act may be cited as the "Education Appropriation Act of 1999".

Section 2. **DEFINITIONS.**--As used in the Education Appropriation Act of 1999:

A. "agency" means an office, department, agency, institution, board, bureau, commission, court, district attorney, council or committee of state government;

B. "expenditures" means costs, expenses, encumbrances and other financing uses, other than refunds authorized by law, recognized in accordance with generally accepted accounting principles for the

1 legally authorized budget amounts and budget period;

2 C. "federal funds" means any payments by the United States government to state government or  
3 agencies except those payments made in accordance with the federal Mineral Lands Leasing Act;

4 D. "full-time equivalent" or "FTE" means one or more authorized positions that together receive  
5 compensation for not more than two thousand ninety-six hours worked in fiscal year 2000. The calculation  
6 of hours worked includes compensated absences but does not include overtime, compensatory time or sick  
7 leave paid pursuant to Section 10-7-10 NMSA 1978;

8 E. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes federal  
9 Mineral Lands Leasing Act receipts, but excludes the general fund operating reserve, the appropriation  
10 contingency fund and the risk reserve;

11 F. "interagency transfers" means revenue, other than internal service funds, legally  
12 transferred from one agency to another;

13

14 G. "internal service funds" means:

15 (1) revenue transferred to an agency for the financing of goods or services to another  
16 agency on a cost-reimbursement basis; and

17 (2) unencumbered balances in agency internal service fund accounts appropriated by the  
18 Education Appropriation Act of 1999;

19 H. "other state funds" means:

20 (1) unencumbered, nonreverting balances in agency accounts, other than in internal service  
21 funds accounts, appropriated by the Education Appropriation Act of 1999;

22 (2) all revenue available to agencies from sources other than the general fund, internal  
23 service funds, interagency transfers and federal funds; and



Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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1 (3) all revenue, the use of which is restricted by statute or agreement;

2 I. "revenue" means all money received by an agency from sources external to that agency, net of

3 refunds and other correcting transactions, other than from issue of debt, liquidation of investments or as

4 agent or trustee for other governmental entities or private persons; and

5 J. "unforeseen federal funds" means a source of federal funds or an increased amount of federal

6 funds that could not have been reasonably anticipated or known during the first session of the forty-

7 fourth legislature and, therefore, could not have been requested by an agency or appropriated by the

8 legislature.

9 Section 3. **GENERAL PROVISIONS.--**

10 A. Amounts set out under column headings are expressed in thousands of dollars.

11 B. Amounts set out under column headings are appropriated from the source indicated by the

12 column heading. All amounts set out under the column heading "Internal Service Funds/Interagency

13 Transfers" indicate an intergovernmental transfer and do not represent a portion of total state government

14 appropriations. All information designated as "Totals" or "Subtotals" are provided for information and

15 are not appropriations.

16 C. Amounts set out in Section 4 of the Education Appropriation Act of 1999, or so much as may

17 be necessary, are appropriated from the indicated source for expenditure in fiscal year 2000 for the

18 objects expressed.

19 D. Unencumbered balances in agency accounts remaining at the end of fiscal year 1999 shall

20 revert to the general fund by October 1, 1999, unless otherwise indicated in the Education Appropriation

1 Act of 1999 or otherwise provided by law.

2 E. Unencumbered balances in agency accounts remaining at the end of fiscal year 2000 shall  
3 revert to the general fund by October 1, 2000, unless otherwise indicated in the Education Appropriation  
4 Act of 1999 or otherwise provided by law.

5 F. The state budget division shall monitor revenue received by agencies from sources other than  
6 the general fund and shall reduce the operating budget of any agency whose revenue from such sources is  
7 not meeting projections. The state budget division shall notify the legislative finance committee of any  
8 operating budget reduced pursuant to this subsection.

9 G. Except as otherwise specifically stated in the Education Appropriation Act of 1999,  
10 appropriations are made in that act for the expenditures of agencies and for other purposes as required by  
11 existing law for fiscal year 2000. If any other act of the first session of the forty-fourth legislature  
12 changes existing law with regard to the name or responsibilities of an agency or the name or purpose of a  
13 fund or distribution, the appropriation made in the Education Appropriation Act of 1999 shall be  
14 transferred from the agency, fund or distribution to which an appropriation has been made as required by  
15 existing law to the appropriate agency, fund or distribution provided by the new law.

16 H. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, agencies whose revenue from unforeseen  
17 federal funds, from state board of finance loans, from revenue appropriated by other acts of  
18 the legislature, or from gifts, donations, bequests, insurance settlements, refunds, or payments into  
19 revolving funds exceed specifically appropriated amounts may request budget increases from the state  
20 budget division. If approved by the state budget division, such money is appropriated. In approving a  
21 budget increase from unforeseen federal funds, the director of the state budget division shall advise the  
22 legislative finance committee as to the source of the federal funds and the source and amount of any  
23 matching funds required.

24 I. For fiscal year 2000, the number of permanent and term full-time equivalent positions  
25 specified for each agency shows the maximum number of employees intended by the legislature for that  
26 agency, unless another provision of the Education Appropriation Act of 1999 or another act of the first

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
Item	General Fund	State Funds	Funds/Inter-Agency Trnsf	Federal Funds	Total

1 session of the forty-fourth legislature provides for additional employees.

2 J. Except for gasoline credit cards used solely for operation of official vehicles and

3 telephone credit cards used solely for official business, none of the appropriations contained in the

4 Education Appropriation Act of 1999 may be expended for payment of credit card invoices.

5 K. To prevent unnecessary spending, expenditures from the Education Appropriation Act of 1999

6 for gasoline for state-owned vehicles at public gasoline service stations shall be made only for

7 self-service gasoline; provided that a state agency head may provide exceptions from the requirement to

8 accommodate disabled persons or for other reasons the public interest may require.

9 L. When approving operating budgets based on appropriations in the Education Appropriation Act

10 of 1999, the state budget division is specifically authorized to approve only those budgets that are in

11 accordance with generally accepted accounting principles for the purpose of properly classifying other

12 financing sources and uses, including interfund, intrafund and interagency transfers.

14 Section 4. **APPROPRIATIONS.**--The appropriation for public school support in fiscal year 2000 shall

15 be:

16 PUBLIC SCHOOL SUPPORT:

17 (1) State equalization guarantee					
18 distribution:	1,438,272.2	2,000.0			1,440,272.2
19 (2) Transportation distribution:					
20 (a) Operations	72,957.9				72,957.9
21 (b) School-owned bus replacements	3,503.8				3,503.8
22 (c) Contractor-owned rental fees	12,126.5				12,126.5
23 (3) Supplemental distributions:					

	Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1	(a) Out-of-state tuition	475.0				475.0
2	(b) Emergency supplemental	850.0				850.0
3	(c) Emergency capital outlay	805.0				805.0

4 The rate of distribution of the state equalization guarantee distribution shall be based on a program  
5 unit value determined by the superintendent of public instruction. The superintendent of public  
6 instruction shall establish a preliminary unit value to establish tentative budgets for the 1999-2000  
7 school year; and then upon completion of final budgets or verification of the number of units statewide  
8 for fiscal year 2000, but no later than January 31, the superintendent of public instruction may adjust  
9 the program unit value.

10 Included in the state equalization guarantee distribution is ten million dollars (\$10,000,000) for  
11 the purpose of funding additional program units to implement early childhood education and is contingent  
12 upon senate education committee substitute for senate bills 230 and 242 of the first session of the  
13 forty-fourth legislature becoming law. The state department of public education shall distribute funds,  
14 upon program approval, to school districts that develop optional preschool and literacy programs to meet  
15 developmental and literacy needs of children age three through grade two. Such programs may include  
16 full-day kindergarten, half-day, summer or transition programs for children ages three through five or  
17 intensive literacy programs for students in kindergarten through second grade to ensure that all children  
18 are reading by the time they enter grade three. The department shall report to the legislative education  
19 study committee and the legislative finance committee on program implementation by November 1999.

20 The appropriation for the state equalization guarantee contains sufficient funds to provide a six  
21 and one-half percent salary increase for teachers and at least an average five percent salary increase  
22 for other certified and non-certified staff including transportation employees.

23 (1) Those districts that receive an increase in program cost that meets or exceeds the percentage  
24 increase in the program unit value shall budget a six and one-half percent salary increase for teachers  
25 and at least an average five percent salary increase for other certified and non-certified staff

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Other</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total</u>
<u>Item</u>	<u>General Fund</u>	<u>State Funds</u>		<u>Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total</u>

1 including transportation employees.

2 (2) Those districts that have a percentage increase in program cost less than the percentage  
3 increase in the program unit value shall provide an average salary increase for all public school  
4 employees including transportation that meets or exceeds the district's percentage increase in program  
5 cost with primary emphasis on improving teacher salaries.

6 The general fund appropriation for the state equalization guarantee includes five hundred thousand  
7 dollars (\$500,000) to increase the number of program units for those school districts who have employed  
8 teachers certified by the national board for professional teaching standards. The appropriation is  
9 contingent upon House Bill 115 or Senate Bill 158 of the first session of the forty-fourth legislature  
10 becoming law.

11 The general fund appropriation for the state equalization guarantee distribution includes thirteen  
12 million one hundred ninety-five thousand six hundred dollars (\$13,195,600) to reflect the deduction of  
13 seventy-five percent of eligible local and federal revenues as defined in Subsections B and C of Section  
14 22-8-25 NMSA 1978, and is contingent upon legislation of the first session of the forty-fourth legislature  
15 becoming law that reduces the percentage of receipts in calculating local and federal revenues; provided  
16 that if the reduced percentage is other than seventy-five percent, the state equalization guarantee  
17 distribution shall be adjusted accordingly.

18 The general fund appropriation for the state equalization guarantee distribution reflects the  
19 deduction of federal revenues pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that  
20 includes payments commonly known as "impact aid funds" pursuant to 20 USCA 7701 et seq., formerly known  
21 as "PL874 funds".

22 The general fund appropriation to the public school fund shall be reduced by the amounts transferred  
23 to the public school fund from the current school fund and from the federal Mineral Lands Leasing Act

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
1 receipts otherwise unappropriated.					
2 Any unexpended or unencumbered balance in the distributions authorized remaining at the end of					
3 fiscal year 2000 from appropriations made from the general fund shall revert to the general fund.					
4 Subtotal	[1,528,990.4]	[ 2,000.0]			1,530,990.4
5 INSTRUCTIONAL MATERIAL FUND:	30,981.9				30,981.9
6 The appropriation to the instructional material fund is made from the federal Minerals Lands Leasing Act					
7 receipts.					
8 EDUCATIONAL TECHNOLOGY FUND:	7,233.2				7,233.2
9 INCENTIVES FOR SCHOOL IMPROVEMENT FUND:	1,900.0				1,900.0
10 FEDERAL FLOW THRU:				238,280.0	238,280.0
11 DEPARTMENT OF FINANCE AND					
12 ADMINISTRATION:					
13 (a) Student Alternative Act	2,500.0				2,500.0
14 The general fund appropriation of two million five hundred thousand dollars (\$2,500,000) for the Student					
15 Alternative Act is contingent upon Senate Bill 173 of the first session of the forty-fourth legislature					
16 becoming law.					
17 TOTAL PUBLIC SCHOOL SUPPORT	1,571,605.5	2,000.0		238,280.0	1,811,885.5
18 STATE DEPARTMENT OF PUBLIC EDUCATION:					
19 (a) Personal services	5,613.2	99.5	32.4	3,089.6	8,834.7
20 (b) Employee benefits	1,563.8	25.6	8.5	857.4	2,455.3
21 (c) Travel	270.4	1.8	7.0	189.7	468.9
22 (d) Maintenance and repairs	31.3	.3	.1	23.9	55.6
23 (e) Supplies and materials	54.6	124.1	30.7	168.4	377.8
24 (f) Contractual services	275.4	161.6		1,265.3	1,702.3
25 (g) Operating costs	377.8	16.3	3.7	708.1	1,105.9

Item	General Fund	Other State Funds	Other	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
Item	General Fund	State Funds		Funds/Inter-Agency Trnsf	Federal Funds	Total
1 (h) Other costs				2,427.6	168.2	2,595.8
2 (i) Capital outlay		86.0		2.4	170.2	258.6
3 (j) Out-of-state travel	13.5	2.1		1.2	81.2	98.0
4 (k) Other financing uses	2.6	.1			152.4	155.1
5 Authorized FTE: 172.00 Permanent; 70.00 Term; .20 Temporary						
6 Two hundred sixty-two thousand eight hundred dollars (\$262,800) of the general fund appropriations to the						
7 state department of public education are from Federal Mineral Lands Leasing Act receipts.						
8 Unexpended or unencumbered balances in the state department of public education remaining at the end						
9 of fiscal year 2000 from appropriations made from the general fund shall not revert.						
10 Subtotal	[ 8,202.6]	[ 517.4]		[ 2,513.6]	[ 6,874.4]	18,108.0
11 APPRENTICESHIP ASSISTANCE:	500.0					500.0
12 ADULT BASIC EDUCATION:	4,700.0				2,254.7	6,954.7
13 REGIONAL EDUCATION COOPERATIVES:						
14 (a) Central:		1,619.3			1,791.5	3,410.8
15 (b) High plains:		2,000.0			3,457.0	5,457.0
16 (c) Region IX:		140.0			2,827.9	2,967.9
17 Subtotal		[ 3,759.3]			[ 8,076.4]	11,835.7
18 STATE DEPARTMENT OF PUBLIC EDUCATION SPECIAL						
19 APPROPRIATIONS:						
20 (a) Advanced placement	400.0					400.0
21 (b) Dropout prevention	700.0					700.0
22 (c) Graduation, reality and dual						
23 skills program-teen parents	500.0					500.0

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 (d) Career education opportunity					
2 program	500.0				500.0
3 (e) Dual language immersion					
4 initiative	200.0				200.0
5 (f) Student assessment and					
6 testing	1,433.0				1,433.0
7 (g) Re: learning	1,000.0				1,000.0
8 (h) After-school theatrical					
9 production	200.0				200.0
10 (i) Educational services to					
11 Native American students	150.0				150.0
12 (j) Teacher and administrator					
13 summer academics	100.0				100.0
14 (k) Statewide service learning					
15 program	100.0				100.0
16 Subtotal	[ 5,283.0]				5,283.0

17 The general fund appropriation of seven hundred thousand dollars (\$700,000) for the dropout prevention  
18 program is for the purpose of contracting with a private nonprofit organization to establish dropout  
19 prevention programs for at-risk students from Valley, Los Lunas, Rio Grande and West Mesa high schools and  
20 Santa Fe Indian school in Bernalillo, Santa Fe and Valencia counties.

21 Included in the general fund appropriation for student assessment and testing is one hundred thousand  
22 dollars (\$100,000) for curriculum analysis of test results to be provided to all teachers in grades three  
23 through nine.

24 The general fund appropriation of two hundred thousand (\$200,000) is for an after-school theatrical  
25 production in Santa Fe.



Item	General Fund	Other State Fund	Other Agency	Intrnl Svc Funds/Inter-Transf	Federal Funds	Total
Item	General Fund	State Funds		Funds/Inter-Agency Trnsf	Federal Funds	Total

1 The general fund appropriation of one hundred-fifty thousand (\$150,000) is for a joint effort  
2 between the federal bureau of Indian affairs and the state department of public education to develop  
3 curricula, share technological resources and cooperate to provide educational services to Native American  
4 students.

5 The general fund appropriation of one hundred thousand (\$100,000) for the teacher and administrator  
6 summer academies is for a program designed to provide participants with work-related experiences  
7 for use in classroom instruction. The appropriation is contingent upon obtaining an equal or greater  
8 amount of matching funds from sources other than state funds.

9 The general fund appropriation of one hundred thousand dollars (\$100,000) for the statewide  
10 service learning program is for a program that integrates service learning into academic curricula and  
11 other educational initiatives so students, including students with disabilities, are provided public  
12 service learning opportunities.

13	TOTAL	18,685.6	4,276.7	2,513.6	17,205.5	42,681.4
14	GRAND TOTAL	1,590,291.1	6,276.7	2,513.6	255,485.5	1,854,566.9

15 Section 5. **SEVERABILITY.**--If any part or application of this act is held invalid, the remainder or  
16 its application to other situations or persons shall not be affected.

1 FORTY- FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
3  
4

5 March 4, 1999  
6  
7

8 Mr. Speaker:  
9

10 Your EDUCATION COMMITTEE, to whom has been referred  
11

12 SENATE FINANCE COMMITTEE SUBSTITUTE  
13 FOR SENATE BILL 3  
14

15 has had it under consideration and reports same WITHOUT RECOMMENDATION, amended as  
16 follows:  
17

- 18 1. Strike Senate Finance Committee Amendment No. 1.
- 19
- 20 2. On page 5, line 4, strike "1,438,272.2" and insert thereof "1,431,489.6".
- 21
- 22 3. Strike Senate Finance Committee Amendment No. 7.
- 23
- 24 4. On page 9, strike lines 13 through 20 in their entirety.

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HEC/SECS/SB/Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Page Total
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5. On page 10, strike lines 4 through 17 in their entirety.

6. Adjust all subtotals, totals and grand totals accordingly.,

and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

Respectfully submitted,

\_\_\_\_\_  
Rick Miera, Chairman

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HEC/SFCS/SB 3 aa

Page 28

1     Adopted \_\_\_\_\_           Not Adopted \_\_\_\_\_  
2                   (Chief Clerk)                   (Chief Clerk)  
3  
4  
5   Date \_\_\_\_\_  
6  
7     The roll call vote was 15 For 0 Against  
8     Yes:         15  
9     Excused:   Marquardt  
10    Absent:     None  
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13  
14    J: \99BillsWP\S0003

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION

March 8, 1999

Mr. President:

Your CONFERENCE COMMITTEE, to whom has been referred

SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 3, as amended

has had it under consideration and reports same with the following recommendations:

1. The following senate finance committee amendments be APPROVED:

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

SFC/SB 3, aa

Page 30

1           Nos.    6 and 8.

2

3           2.    The following senate finance committee amendments be DISAPPROVED:

4

5           Nos.  1, 2, 3, 4, 5 and 7.

6

7           3.    The following house education committee amendments be APPROVED:

8

9           Nos.  1, 4, 5 and 6.

10

11          4.    The following house education committee amendments be DISAPPROVED:

12

13          Nos.  2 and 3.

14

15          and that the bill be amended further as follows:

16

17

18          5.    On page 5, line 4, strike "1,438,272.2" and insert in lieu thereof "1,433,571.2".

SFC/SB 3, aa

Page 31

- 1           6. On page 5, line 6, strike "72,957.9" and insert in lieu thereof "73,539.5".
- 2
- 3           7. On page 5, line 7, strike "3,503.8" and insert in lieu thereof "3,203.8".
- 4
- 5           8. On page 5, line 8, strike "12,126.5" and insert in lieu thereof "11,926.5".
- 6
- 7           9. On page 5, line 19, strike "ten million dollars (\$10,000,000)" and insert in lieu
- 8 thereof "five million dollars (\$5,000,000)".
- 9
- 10          10. On page 5, strike lines 20 through 22 from "childhood" up to the period and
- 11 insert in lieu thereof "literacy programs".
- 12
- 13          11. On pages 5, line 23, strike "optional preschool and".
- 14
- 15          12. On page 5, line 24, strike "developmental and", strike "age three" and insert in
- 16 lieu thereof "kindergarten" and strike "two" and insert in lieu thereof "three".
- 17
- 18          13. On page 5, beginning with "Such" strike the remainder of line 24 and strike all

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

SFC/SB 3, aa

Page 32

1 of line 25.

2

3 14. On page 6, line 1, before "intensive" insert "These programs shall include" and  
4 strike "second" and after "grade" insert "three".

5

6 15. On page 6, line 2, strike "enter" and insert in lieu thereof "complete".

7

8 16. On page 6, lines 4 and 5, strike "six and one-half" and insert in lieu thereof  
9 "statewide average six and one quarter".

10

11 17. On page 6, line 5, strike "at least an average five" and insert in lieu thereof  
12 "a statewide average five and one quarter".

13

14 18. On page 6, strike lines 7 through 14 in their entirety.

15

16 19. On page 6, between lines 3 and 4, insert: "By July 1, 1999, the department shall  
17 develop an approval process for literacy programs, disseminate instructions for that  
18 process to all school districts and provide technical assistance in developing proposals.



SFC/SB 3, aa

1 For the purposes of the distribution for early literacy education the number of early  
 2 literacy education program units is determined by multiplying the number of children in  
 3 programs for kindergarten through grade three by the school district's at-risk index  
 4 multiplied by .279. The department shall define approval criteria, establish content  
 5 standards and benchmarks that ensure students' progress and provide accountability to the  
 6 public. The department shall monitor early literacy programs, ensure that they serve the  
 7 children most in need based upon age-appropriate assessments, compile the program results  
 8 submitted by the school districts and make an annual report to the legislative education  
 9 study committee. If the department determines that a program is not meeting the benchmarks  
 10 necessary to ensure the progress of students in the program, the department shall notify  
 11 the district that failure of the program to meet the benchmarks within sixty days will  
 12 result in the cessation of funding for the program. Also included in the state  
 13 equalization guarantee distribution is one million one hundred forty-three thousand four  
 14 hundred dollars (\$1,143,400) for the purpose of funding a statewide early childhood program  
 15 modeled after the even-start program ".

16  
17  
18

20. On page 7, strike lines 18 through 23 in their entirety.

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

SFC/SB 3, aa

Page 34

1           21. Adjust all totals and subtotals accordingly.

2

3           22. On page 9, between lines 20 and 21, insert:

4

5           "DEPARTMENT OF FINANCE AND

6           ADMINISTRATION:

7

8           (a) Student Alternative Act           2,500.0

9           The general fund appropriation of two million five hundred thousand dollars (\$2,500,000)  
10          for the Student Alternative Act is contingent upon Senate Bill 173 of the first session of  
11          the forty-fourth legislature becoming law."

12

13          23. Adjust all totals and subtotals accordingly.

14

15          24. On page 9, between lines 21 and 22, insert the following:

16

17          "The appropriation of five hundred thousand dollars (\$500,000) for the career  
18          education opportunity program shall be used as maintenance of effort for the federal Carl

Item	General	Other State	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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SFC/SB 3, aa

Page 35

1 Perkins Act. "

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25. Adjust all total and subtotals accordingly.

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Respectfully submitted,

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\_\_\_\_\_  
Carlos Cisneros

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FORTY-FOURTH LEGISLATURE  
FIRST SESSION

SFC/SB 3, aa

Page 36

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Timothy Z. Jennings

\_\_\_\_\_  
Mark Boitano

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

Date \_\_\_\_\_

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION

March 8, 1999

Mr. Speaker:

Your CONFERENCE COMMITTEE, to whom has been referred

SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 3, as amended

has had it under consideration and reports same with the following recommendations:

1. The following senate finance committee amendments be APPROVED:

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

SFC/SB 3, aa

Page 38

- 1           Nos.   6 and 8.  
2  
3           2.   The following senate finance committee amendments be DISAPPROVED:  
4  
5           Nos.  1, 2, 3, 4, 5 and 7.  
6  
7           3.   The following house education committee amendments be APPROVED:  
8  
9           Nos.  1, 4, 5 and 6.  
10  
11          4.   The following house education committee amendments be DISAPPROVED:  
12  
13          Nos.  2 and 3.  
14  
15   and that the bill be amended further as follows:  
16  
17  
18          5.   On page 5, line 4, strike "1,438,272.2" and insert in lieu thereof "1,433,571.2".

SFC/SB 3, aa

Page 39

- 1           6. On page 5, line 6, strike "72,957.9" and insert in lieu thereof "73,539.5".
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- 7           9. On page 5, line 19, strike "ten million dollars (\$10,000,000)" and insert in lieu
- 8 thereof "five million dollars (\$5,000,000)".
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- 11 insert in lieu thereof "literacy programs".
- 12
- 13          11. On pages 5, line 23, strike "optional preschool and".
- 14
- 15          12. On page 5, line 24, strike "developmental and", strike "age three" and insert in
- 16 lieu thereof "kindergarten" and strike "two" and insert in lieu thereof "three".
- 17
- 18          13. On page 5, beginning with "Such" strike the remainder of line 24 and strike all

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

SFC/SB 3, aa

Page 40

1 of line 25.

2

3 14. On page 6, line 1, before "intensive" insert "These programs shall include" and  
4 strike "second" and after "grade" insert "three".

5

6 15. On page 6, line 2, strike "enter" and insert in lieu thereof "complete".

7

8 16. On page 6, lines 4 and 5, strike "six and one-half" and insert in lieu thereof  
9 "statewide average six and one quarter".

10

11 17. On page 6, line 5, strike "at least an average five" and insert in lieu thereof  
12 "a statewide average five and one quarter".

13

14 18. On page 6, strike lines 7 through 14 in their entirety.

15

16 19. On page 6, between lines 3 and 4, insert: "By July 1, 1999, the department shall  
17 develop an approval process for literacy programs, disseminate instructions for that  
18 process to all school districts and provide technical assistance in developing proposals.



SFC/SB 3, aa

1 For the purposes of the distribution for early literacy education the number of early  
 2 literacy education program units is determined by multiplying the number of children in  
 3 programs for kindergarten through grade three by the school district's at-risk index  
 4 multiplied by .279. The department shall define approval criteria, establish content  
 5 standards and benchmarks that ensure students' progress and provide accountability to the  
 6 public. The department shall monitor early literacy programs, ensure that they serve the  
 7 children most in need based upon age-appropriate assessments, compile the program results  
 8 submitted by the school districts and make an annual report to the legislative education  
 9 study committee. If the department determines that a program is not meeting the benchmarks  
 10 necessary to ensure the progress of students in the program, the department shall notify  
 11 the district that failure of the program to meet the benchmarks within sixty days will  
 12 result in the cessation of funding for the program. Also included in the state  
 13 equalization guarantee distribution is one million one hundred forty-three thousand four  
 14 hundred dollars (\$1,143,400) for the purpose of funding a statewide early childhood program  
 15 modeled after the even-start program."

16  
 17 20. On page 7, strike lines 18 through 23 in their entirety.  
 18

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

SFC/SB 3, aa

Page 42

1           21. Adjust all totals and subtotals accordingly.

2

3           22. On page 9, between lines 20 and 21, insert:

4

5           "DEPARTMENT OF FINANCE AND

6           ADMINISTRATION:

7

8           (a) Student Alternative Act           2,500.0

9           The general fund appropriation of two million five hundred thousand dollars (\$2,500,000)  
10          for the Student Alternative Act is contingent upon Senate Bill 173 of the first session of  
11          the forty-fourth legislature becoming law."

12

13          23. Adjust all totals and subtotals accordingly.

14

15          24. On page 9, between lines 21 and 22, insert the following:

16

17          "The appropriation of five hundred thousand dollars (\$500,000) for the career  
18          education opportunity program shall be used as maintenance of effort for the federal Carl

FORTY-FOURTH LEGISLATURE  
 General State  
 FIRST SESSIONS  
 Intrnl Svc  
 Funds/Inter-  
 Agency Trnsf  
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Item

SFC/SB 3, aa

Page 43

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Perkins Act. "

25. Adjust all total and subtotals accordingly.

Respectfully submitted,

\_\_\_\_\_  
Rick Miera

FORTY-FOURTH LEGISLATURE  
FIRST SESSION

SFC/SB 3, aa

Page 44

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Roberto Gonzales

---

W. C. "Dub" Williams

Adopted \_\_\_\_\_  
(Chief Clerk)

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

Date \_\_\_\_\_