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SENATE BILL 495

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

INTRODUCED BY

Cynthia Nava

AN ACT

RELATING TO EDUCATION; ELIMINATING RESTRICTIONS ON THE
PURCHASE OF INSTRUCTIONAL MATERIALS NOT INCLUDED ON THE
MULTIPLE LIST.

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

Section 1. Section 22-15-9 NMSA 1978 (being Laws 1967,
Chapter 16, Section 213, as amended) is amended to read:

"22-15-9. DISTRIBUTION OF FUNDS FOR INSTRUCTIONAL
MATERIAL. --

A. On or before July 1 of each year, the
department of education shall allocate to each school
district, state institution or private school not less than
ninety percent of its estimated entitlement as determined from
the estimated forty-day membership for the next school year.
A school district's, state institution's or private school's

underscored material = new
[bracketed material] = delete

1 entitlement is that portion of the total amount of the annual
2 appropriation less a deduction for a reasonable reserve for
3 emergency expenses that its forty-day membership bears to the
4 forty-day membership of the entire state. The allocation for
5 adult basic education shall be based on a full-time
6 equivalency obtained by multiplying the total previous year's
7 enrollment by .25. For the purpose of this allocation,
8 additional pupils shall be counted as four pupils.

9 B. On or before January 15 of each year, the
10 department of education shall recompute each entitlement using
11 the forty-day membership for that year, except for adult basic
12 education, and shall allocate the balance of the annual
13 appropriation adjusting for any over- or under-estimation made
14 in the first allocation.

15 C. ~~[An amount not to exceed thirty percent of the~~
16 ~~allocations attributed to]~~ Each local school district, state
17 institution or adult basic education center may ~~[be used]~~ use
18 the allocation it is provided for instructional material not
19 included on the multiple list provided for in Section 22-15-8
20 NMSA 1978. ~~[Adult basic education centers may expend up to~~
21 ~~one hundred percent of their instructional material funds for~~
22 ~~items that are not on the multiple list.]~~

23 D. The department of education shall establish
24 procedures for the distribution of funds directly to local
25 school districts, state institutions and adult basic education

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[bracketed material] = del etc

1 centers. The department of education shall distribute funds
2 to private schools on a reimbursement basis for instructional
3 material included on the multiple list provided for in Section
4 22-15-8 NMSA 1978.

5 E. A school district, state institution or adult
6 basic education center that has funds remaining for the
7 purchase of instructional material at the end of the fiscal
8 year shall retain those funds for expenditure in subsequent
9 years. Any balance remaining in an instructional material
10 account of a private school at the end of the fiscal year
11 shall remain available for reimbursement by the department of
12 education for instructional material purchases in subsequent
13 years. "