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SENATE BILL 24

**44TH LEGISLATURE - STATE OF NEW MEXICO - 2ND SPECIAL SESSION, 2000**

INTRODUCED BY

Leonard Tsosie

AN ACT

RELATING TO EDUCATION; CREATING THE MCKINLEY COUNTY LEARNING CENTER; PROVIDING FOR PROPERTY TAXING AUTHORITY; PROVIDING FOR BONDING AUTHORITY; AMENDING AND ENACTING SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. Section 21-2A-2 NMSA 1978 (being Laws 1995, Chapter 224, Section 8) is amended to read:

"21-2A-2. DEFINITIONS.--As used in the College District Tax Act:

A. "board" means the governing board of the college district;

B. "college" means a two-year, public post-secondary educational institution organized pursuant to the provisions of the Community College Act, Chapter 21, Article 14 NMSA 1978, the Technical and Vocational Institute Act, Chapter 21, Article 17 NMSA 1978, the McKinley County

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1 Learning Center Act or the Off-Campus Instruction Act; and

2 C. "college district" means a district in which a  
3 college is located or is proposed to be located, the exterior  
4 boundaries of which are determined pursuant to the statutory  
5 provisions under which the college is organized."

6 Section 2. Section 21-2A-4 NMSA 1978 (being Laws 1995,  
7 Chapter 224, Section 10) is amended to read:

8 "21-2A-4. APPLICATION OF ACT.--The College District Tax  
9 Act applies to all [~~educational institutions organized~~  
10 ~~pursuant to the provisions of Chapter 21, Article 14 NMSA~~  
11 ~~1978, the Community College Act, Chapter 21, Article 17 NMSA~~  
12 ~~1978, the Technical and Vocational Institute Act and the~~  
13 ~~Off-Campus Instruction Act]~~ colleges."

14 Section 3. [NEW MATERIAL] SHORT TITLE.--Sections 3  
15 through 5 of this act may be cited as the "McKinley County  
16 Learning Center Act".

17 Section 4. [NEW MATERIAL] MCKINLEY COUNTY LEARNING  
18 CENTER--CREATION--PURPOSE--BOARD.--

19 A. The "McKinley county learning center" is  
20 created to coordinate and provide upper division classes,  
21 graduate education and other instruction that is not  
22 authorized by Chapter 21, Article 14 NMSA 1978 as an approved  
23 component of the branch community college vocational and  
24 technical curricula and is needed to provide educational  
25 opportunities in McKinley county. The McKinley county  
learning center district is composed of McKinley county.

B. All programs offered by the McKinley county

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1 learning center shall be existing programs offered by a four-  
2 year post-secondary educational institution. The McKinley  
3 county learning center shall not develop its own courses.

4 C. The local advisory board of the Gallup branch  
5 of the university of New Mexico is the governing board of the  
6 McKinley county learning center, shall provide policy  
7 oversight and administration of the McKinley county learning  
8 center and is authorized to:

- 9 (1) employ staff;
- 10 (2) enter into contracts and written  
11 agreements and administer and oversee the implementation,  
12 completion and enforcement of those contracts or written  
13 agreements;
- 14 (3) sue and be sued;
- 15 (4) assess the educational needs of the  
16 community and implement programs and courses as feasible and  
17 needed;
- 18 (5) act as fiscal agent for the McKinley  
19 county learning center to the extent appropriate;
- 20 (6) select the courses or programs to be  
21 offered by the McKinley county learning center;
- 22 (7) manage the transfer and articulation of  
23 credits for courses completed; and
- 24 (8) authorize the imposition of a property  
25 tax levy for the purposes set forth in the College District  
Tax Act.

Section 5. [NEW MATERIAL] MCKINLEY COUNTY LEARNING

.132984.1

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1 CENTER FINANCING--TAXATION AND BONDING PROCEDURES.--

2 A. Beginning in fiscal year 2002, the McKinley  
3 county learning center shall be funded through tuition, fees,  
4 gifts, grants and other funds made available to the McKinley  
5 county learning center in the same manner as on-campus  
6 instruction is funded at a state university, based on the  
7 appropriate year's census report of the number of students  
8 enrolled in courses at the McKinley county learning center or  
9 at the facilities at the Gallup campus of the university of  
10 New Mexico, as reported by the McKinley county learning  
11 center. Funds shall be distributed to the governing board of  
12 the McKinley county learning center.

13 B. Authorization, imposition and collection of  
14 property taxes to fund current operations, maintenance and  
15 capital improvements of the McKinley county learning center  
16 shall be conducted according to the provisions of the College  
17 District Tax Act.

18 Section 6. APPROPRIATION.--Seventy-five thousand  
19 dollars (\$75,000) is appropriated from the general fund to  
20 the board of regents of the university of New Mexico for  
21 expenditure in fiscal year 2001 for use by the Gallup branch  
22 of the university of New Mexico to establish and initially  
23 operate the McKinley county learning center. Any unexpended  
24 or unencumbered balance remaining at the end of fiscal year  
25 2001 shall revert to the general fund.

Section 7. EMERGENCY.--It is necessary for the public  
peace, health and safety that this act take effect

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