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SENATE BILL 100  
43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997  
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
1 internal service funds accounts, appropriated by the Education Appropriation Act;					
2 (2) all revenue available to state agencies from sources other than the general					
3 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 used					
7 in the General Appropriation Act of 1996.					
8 Section 4. APPROPRIATIONS.--The appropriation for public school support in fiscal year 1998					
9 shall be:					
10 PUBLIC SCHOOL SUPPORT:					
11 (1) State equalization guarantee					
12 distribution:	1, 303, 271. 8	1, 000. 0			1, 304, 271. 8
13 (2) Transportation distributions:					
14 (a) Operations	71, 314. 2				71, 314. 2
15 (b) School-owned bus					
16 replacements	2, 740. 4				2, 740. 4
17 (c) Contractor-owned bus					
18 rent fees	11, 561. 9				11, 561. 9
19 Subtotal	85, 616. 5				85, 616. 5
20 (3) Supplemental distributions:					
21 (a) Out-of-state tuition	390. 0				390. 0
22 (b) Emergency	1, 421. 0				1, 421. 0
23 (c) Emergency capital outlay	300. 0				300. 0
24 Subtotal	2, 111. 0				2, 111. 0
25 The rate of distribution of the state equalization guarantee distribution shall be based on					

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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1 a program unit value determined by the superintendent of public instruction. The superintendent  
2 of public instruction shall establish a preliminary unit value that shall be used to establish  
3 tentative budgets for the 1997-98 school year. Upon completion of final budgets or verification  
4 of the number of units statewide for fiscal year 1998, the superintendent of public instruction  
5 may adjust the program unit value.

6 The superintendent of public instruction may fund mid-year increases in student membership  
7 resulting from expansion at military bases from the supplemental emergency fund. The  
8 superintendent of public instruction shall certify to the secretary of finance and administration  
9 that the need exists before supplemental emergency funds may be released.

10 Included in the state equalization guarantee distribution are sufficient funds for a  
11 statewide average four and one-half percent salary increase for all public school employees.

12 Included in the state equalization guarantee distribution is four million five hundred  
13 fifty-five thousand dollars (\$4,555,000) to be distributed on a per unit basis to all school  
14 districts that submit a professional development plan to the state department of public education.

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

18 Unexpended or unencumbered balances in the distributions authorized remaining at the end of  
19 fiscal year 1998 from appropriations made from the general fund shall revert to the general fund.

20 INSTRUCTIONAL MATERIAL FUND: 28,620.7 2,053.4 30,674.1

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

23 EDUCATIONAL TECHNOLOGY FUND: 12,088.0 12,088.0

24 INCENTIVES FOR SCHOOL IMPROVEMENT  
25 FUND: 1,300.0 1,300.0

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Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
<p>1 Prior to the distribution of the funds included in the general fund appropriation to the  2 incentives for school improvement fund, the state board of education shall adopt regulations for  3 all schools to provide financial incentives to individual schools that exceed expected academic  4 performance and student behavior standards as measured by the school's targeted goals and  5 objectives for improvement of student performance. The board shall submit its regulations to the  6 legislative education study committee for review.</p>					
7 TOTAL PUBLIC SCHOOL SUPPORT:	1,433,008.0	3,053.4			1,436,061.4
8 ADULT BASIC EDUCATION FUND:	4,700.0			2,159.8	6,859.8
9 STATE DEPARTMENT OF PUBLIC EDUCATION:					
10 (1) Administration:					
11 (a) Personal services	5,167.0		3.7	2,692.3	7,863.0
12 (b) Employee benefits	1,467.6		1.3	767.7	2,236.6
13 (c) In-state travel	280.4		4.9	159.2	444.5
14 (d) Maintenance and repairs	75.8	74.5		5.2	155.5
15 (e) Supplies and materials	141.7	21.4	7.9	80.3	251.3
16 (f) Contractual services	343.0	14.6		728.9	1,086.5
17 (g) Operating costs	455.6			535.8	991.4
18 (h) Other costs	.5			365.2	365.7
19 (i) Capital outlay	2.7	54.5	23.0	69.2	149.4
20 (j) Out-of-state travel	20.3			59.0	79.3
21 (k) Other financing uses	3.2			150.2	153.4
22 Authorized FTE: 166.0 Permanent; 62.0 Term; .2 Temporary					
23 Subtotal	7,957.8	165.0	40.8	5,613.0	13,776.6

24 The general fund appropriation to the state department of public education includes two  
25 hundred thousand dollars (\$200,000) from federal Mineral Lands Leasing Act (30 USCA 181, et seq.)

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
receipts.					
Unexpended or unencumbered balances in the state department of public education remaining at the end of fiscal year 1998 from appropriations made from the general fund shall not revert.					
(2) Special projects:	5,000.0				5,000.0
The state department of public education shall conduct an application and review process of special projects to determine the specific dollar amounts to be distributed to local school districts or individual projects; provided that not more than four hundred seventy-five thousand dollars (\$475,000) shall be expended for the New Mexico GRADS project; eight hundred thousand dollars (\$800,000) for re:learning; five hundred thousand dollars (\$500,000) for the systemic initiative in math and science education; two hundred fifty thousand dollars (\$250,000) for the teacher and administrator academies; three hundred twenty-five thousand dollars (\$325,000) for strengthening quality in schools; and one hundred fifty thousand dollars (\$150,000) for project LEAD.					
(3) Apprenticeship assistance:	600.0	15.9			615.9
(4) Regional education cooperatives:					
(a) Region 9		128.1		1,856.7	1,984.8
Authorized FTE: 27.0 Term					
(b) High Plains		1,970.7		1,184.0	3,154.7
Authorized FTE: 44.63 Term					
(c) Central		1,324.7		1,278.9	2,603.6
Authorized FTE: 34.30 Term					
(d) Northeast		24.9		790.1	815.0
Authorized FTE: 2.00 Term					
(e) Northwest				816.5	816.5
Authorized FTE: 2.00 Term					

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
<b>SPECIAL APPROPRIATIONS:</b>					
The following special appropriations are made from the general fund to the following agencies for expenditure in fiscal year 1998:					
<b>STATE DEPARTMENT OF PUBLIC EDUCATION:</b>					
(1) Accountability data system	700.0				700.0
(2) Statewide capital outlay needs study	500.0				500.0
(3) Statewide professional development framework	445.0				445.0
(4) National board certification	350.0				350.0
(5) Equipment and services for special needs students	600.0				600.0
(6) Strategic planning for public schools	70.0				70.0

The general fund appropriation of four hundred forty-five thousand dollars (\$445,000) for the statewide professional development framework shall be distributed by the state department of public education equally to each school district to design and implement professional development plans for all school employees based on criteria adopted by the state board of education. The board shall develop and adopt a statewide professional development framework based on the school districts' plans and submit a written report to the legislative education study committee and the legislative finance committee by November 1, 1997 with recommendations for future funding of staff development.

The general fund appropriation of seventy thousand dollars (\$70,000) for strategic planning includes one permanent full-time-equivalent position and operating expenses for the state department of public education to continue strategic planning for public schools.

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total
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1 The general fund appropriation of seven hundred thousand dollars (\$700,000) for the  
 2 accountability data system is contingent upon the educational technology bureau submitting the  
 3 information systems framework to the legislative finance committee.

4 The general fund appropriation of five hundred thousand dollars (\$500,000) for the statewide  
 5 capital outlay needs study is to enable the public school capital outlay council to conduct a  
 6 comprehensive study of statewide public school capital outlay and infrastructure needs and make  
 7 recommendations to the legislature for an equitable and efficient method by which to meet those  
 8 needs.

9 COMMISSION ON HIGHER EDUCATION:

10 (1)	Advanced placement	250.0	250.0
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11 (2)	Student teacher scholarships	250.0	250.0
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12 Section 5. SEVERABILITY.--If any part or application of this act is held invalid, the  
 13 remainder or its application to other situations or persons shall not be affected.

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

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3 FORTY-THIRD LEGISLATURE  
4 FIRST SESSION, 1997  
5  
6

SB 100/a

7 February 6, 1997  
8

9 Mr. President:

10  
11 Your FINANCE COMMITTEE, to whom has been referred

12  
13 SENATE BILL 100  
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15 has had it under consideration and reports same with recommendation that it DO PASS, amended as  
16 follows:  
17

18 1. On page 2, line 12, strike the numbers under the General Fund and the Total columns and  
19 insert in lieu thereof "1,303,298.0" and "1,304,298.0" respectively.  
20

21 2. On page 4, line 7, strike the numbers under the General Fund and the Total columns and  
22 insert in lieu thereof "1,433,034.2" and "1,436,087.6" respectively.  
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24  
25 Respectfully submitted,  
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FORTY- SECOND LEGISLATURE  
SECOND SESSION, 1996

FINANCE COMMITTEE/SB 100

Page 9

Ben D. Altamirano, Chairman

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

Date \_\_\_\_\_

The roll call vote was 6 For 1 Against

Yes: 6

No: Lyons

Excused: Campos, Carraro, Ingle, McKibben

Absent: None

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FORTY- SECOND LEGI SLATURE  
SECOND SESSI ON, 1996

FINANCE COMMITTEE/SB 100

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FORTY- SECOND LEGI SLATURE  
SECOND SESSI ON, 1996

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Page 11

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FORTY- SECOND LEGI SLATURE  
SECOND SESSI ON, 1996

FINANCE COMMITTEE/SB 100

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FORTY- THIR D LEGI SLATURE  
FIRST SESSI ON, 1997

February 6, 1997

Mr. President:

Your EDUCATION COMMITTEE, to whom has been referred

SENATE BILL 100

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

Respectfully submitted,

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Cynthi a Nava, Chai rman

FORTY- SECOND LEGISLATURE  
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FINANCE COMMITTEE/SB 100

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

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Duran, Gorham

Absent: None

S0100ED1

FORTY-THIRD LEGISLATURE  
FIRST SESSION

February 10, 1997

SENATE FLOOR AMENDMENT number \_\_\_\_\_ to SENATE BILL 100, as amended

Amendment sponsored by Senator Cynthia Nava

1. On page 5, strike lines 4 through 13.
2. Renumber succeeding items accordingly.
3. On page 6, line 7, strike "500.0" and insert in lieu thereof "400.0".
4. On page 6, between lines 7 and 8, insert the following new items, placing the totals in the "General Fund" column:

"(1) Grads	475.0
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. 11615042.3

**FORTY- SECOND LEGISLATURE  
SECOND SESSION**

**SF1/SB 100, aa**

**Page 15**

(2) Re: Learning	800.0
(3) SIMSE	500.0
(4) Teacher/admin academies	250.0
(5) Strengthening quality school	325.0
(6) Project LEAD	150.0
(7) Pre-K early start project	825.0
(8) Educator background checks	175.0
(9) Native American and other technology	1,600.0".

5. Renumber succeeding items and adjust all totals and subtotals accordingly.

**. 11615042.3**

- 15 -

FORTY-SECOND LEGISLATURE  
SECOND SESSION

SF1/SB 100, aa

Page 16

6. On page 7, line 4 strike "five hundred thousand dollars (\$500,000)" and insert in lieu thereof "four hundred thousand dollars (\$400,000)".

7. On page 7, between lines 8 and 9 insert:

"The general fund appropriation of eight hundred twenty-five thousand dollars (\$825,000) for pre-K early start projects is for competitive grants for school districts with a high percentage of limited English proficient and Title I eligible students. The state department of public education shall develop a request for proposals, conduct an application and review process of school district proposals and distribute funds to school districts whose proposals meet the criteria specified in the state department of public education's request for proposals. The criteria developed by the state department of public education must include an evaluation component to assess the effectiveness of the projects.

The general fund appropriation of one million six hundred thousand dollars (\$1,600,000) for Native American and other technology shall be distributed by the state department of public education on a per membership basis to school districts with Native American student enrollments of more than ten and one-half percent and to school districts with a total assessed valuation per membership less than the state average for fiscal year 1997.

. 11615042. 3

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FORTY-SECOND LEGISLATURE  
SECOND SESSION

SF1/SB 100, aa

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The general fund appropriation of one hundred seventy-five thousand dollars (\$175,000) for educator background checks is contingent upon passage and enactment into law by the first session of the forty-third legislature of Senate Bill 106 that requires new applicants for a New Mexico educator license and applicants for employment to submit to a criminal background check."

Cynthia Nava

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

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

. 11615042. 3

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**FORTY-SECOND LEGISLATURE  
SECOND SESSION**

**SF1/SB 100, aa**

**Page 18**

**Date \_\_\_\_\_**

**State of New Mexico  
House of Representatives**

**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

February 28, 1997

Mr. Speaker:

Your EDUCATION COMMITTEE, to whom has been referred

SENATE BILL 100, as amended

has had it under consideration and reports same with recommendation that it DO PASS,  
amended as follows:

1. Strike all Senate Finance Committee Amendments.
2. Strike Senate Floor Amendment 1.

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HEC/SB 100, aa

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3. On page 2, line 12, strike "1,303,271.8" and insert in lieu thereof "1,222,070.8".
4. On page 2, line 14, strike "71,314.2" and insert in lieu thereof "69,364.1".
5. On page 2, line 16, strike "2,740.4" and insert in lieu thereof "2,457.0".
6. On page 2, line 18, strike "11,516.9" and insert in lieu thereof "11,073.2".
7. Adjust all totals and subtotals accordingly.
8. On page 3, line 5, after the period insert the following:

"Elimination of size adjustment factors for districts with greater than ten thousand, an addition of an at-risk factor and changing the manner in which special education units are calculated, will result in substantial changes in the state equalization guarantee distribution. To ameliorate the changes in the equalization guarantee distribution, and notwithstanding the provisions of Section 22-8-25 NMSA 1978, the equalization guarantee for fiscal year 1998 shall be distributed as follows:

FORTY-THIRD LEGISLATURE  
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HEC/SB 100, aa

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(1) using the fiscal year 1997 total program cost plus forty million dollars (\$40,000,000) included in the state equalization guarantee, calculate the program cost for each school district and the statewide total program cost, and the district and statewide percentage change from the fiscal year 1997 program cost. Establish a cap for an interim program cost, which is one and three-fourths multiplied by the statewide average percentage increase. For districts whose calculated program cost is less than the program cost for fiscal year 1997, the interim program cost shall be the program cost for fiscal year 1997. For districts whose calculated program cost is between the program cost for fiscal year 1997 and the established cap, the interim program cost shall be the calculated program cost. For districts whose calculated program cost exceeds the cap (capped districts), the interim program cost shall be the program cost as capped;

(2) the excess funds from the capped interim program costs shall be redistributed to the capped districts in proportion to which each capped district's program units bear to the total program units of the capped districts;

(3) seven million six hundred ninety-three thousand one hundred dollars (\$7,693,100) of the state equalization guarantee shall be distributed to each district in proportion to which the district's total program units bear to the statewide total program units. The total program cost

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for each school district shall be the sum of distribution calculated in this paragraph and Paragraphs (1) and (2) above; and

(4) for the purposes of these calculations, program cost for fiscal year 1997 shall be defined as the program cost adjusted for the establishment of a high school in Rio Rancho."

9. On page 3, strike all of lines 10 through 14.

10. On page 3, line 23, strike "12,088.0" and insert in lieu thereof "3,100.0".

11. On page 3, line 25, strike "1,300.0" and insert in lieu thereof "500.0".

12. On page 4, strike all of lines 1 through 6 and insert in lieu thereof:

"Prior to distribution of the funds included in the general fund appropriation to the incentives for school improvement fund, the state department of education shall develop a formula by which to measure school achievement in the areas of academic performance with consideration for socioeconomic variables. The funds shall be used to provide financial incentives to individual

FORTY-THIRD LEGISLATURE  
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Page 23

schools that exceed expected academic performance. The department shall submit its formula to the legislative education study committee for review."

13. On page 4, line 7, strike "1,433,008.0" and insert in lieu thereof "1,352,577.9".

14. On page 4, line 8, strike "4,700.0" and insert in lieu thereof "3,100.0".

15. On page 4, between lines 8 and 9, insert the following under the Federal Funds column:

"FEDERAL FLOW THROUGH GRANTS                      200,426.7".

16. On page 4, line 22, strike "62.0" and insert in lieu thereof "65.0".

17. On page 5, line 4, strike "5,000.0" and insert in lieu thereof "2,735.0".

18. On page 5, line 7, after "projects" insert "for pilot programs", strike the remainder of the line and strike all of lines 8 through 13.

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Page 24

19. On page 5, line 14, under the column "other state funds" strike "15.9".

20. On page 6, line 5, strike "700.0" and insert in lieu thereof "375.0".

21. On page 6, line 7, strike the following:

"study 500.0" and insert in lieu thereof

"and Equity Analysis 400.0".

22. On page 6, strike all of lines 8 through 12.

23. On page 6, strike all of lines 15 through 22 and insert in lieu thereof the following new items (numbers in General Fund column):

"Education background check 60,000.0

School-to-work 100,000.0"

24. Renumber succeeding items accordingly.



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25. On page 6, line 24, strike "permanent" and insert in lieu thereof "term".

26. On page 7, line 1, strike "seven hundred thousand dollars (\$700,000)" and insert in lieu thereof "three hundred seventy-five thousand dollars (\$375,000)".

27. On page 7, line 4, strike "five hundred thousand dollars (\$500,000)" and insert in lieu thereof "four hundred thousand dollars (\$400,000)".

28. On page 7, line 5, strike "study" and insert in lieu thereof "and equity analysis".

29. On page 7, line 5, strike "conduct" and insert in lieu thereof "contract for".

30. On page 7, line 6, strike "study" and insert "analysis".

31. On page 7, between lines 8 and 9, insert:

"The general fund appropriation of sixty thousand dollars (\$60,000) for educator background checks is contingent upon passage of legislation requiring applicants for initial certification to

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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submit to a background check.

LEGISLATIVE EDUCATION STUDY

COMMITTEE

STRATEGIC PLANNING

70.0".

32. On page 7, line 10, strike "250.0" and insert in lieu thereof "150.0".

33. On page 7, line 11, strike "250.0" and insert in lieu thereof "100.0".

34. Adjust all totals and subtotals and correct all internal references accordingly.,

and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

FORTY-THIRD LEGISLATURE  
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Respectfully submitted,

\_\_\_\_\_  
Samuel F. Vigil, Chairman

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

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HEC/SB 100, aa

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The roll call vote was 11 For 1 Against

Yes: 11

No: S. M Williams

Excused: Nicely

Absent: None

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***State of New Mexico  
House of Representatives***

**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

**February 28, 1997**

**Mr. Speaker:**

**Your EDUCATION COMMITTEE, to whom has been referred**

**SENATE BILL 100, as amended**

**has had it under consideration and reports same with recommendation that it DO PASS,  
amended as follows:**

- 1. Strike all Senate Finance Committee Amendments.**

FORTY-THIRD LEGISLATURE  
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2. Strike Senate Floor Amendment 1.
3. On page 2, line 12, strike "1,303,271.8" and insert in lieu thereof "1,222,070.8".
4. On page 2, line 14, strike "71,314.2" and insert in lieu thereof "69,364.1".
5. On page 2, line 16, strike "2,740.4" and insert in lieu thereof "2,457.0".
6. On page 2, line 18, strike "11,516.9" and insert in lieu thereof "11,073.2".
7. Adjust all totals and subtotals accordingly.
8. On page 3, line 5, after the period insert the following:

"Elimination of size adjustment factors for districts with greater than ten thousand, an addition of an at-risk factor and changing the manner in which special education units are calculated, will result in substantial changes in the state equalization guarantee distribution. To ameliorate the changes in the equalization guarantee distribution, and notwithstanding the provisions of Section

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FIRST SESSION, 1997

HEC/SB 100, aa

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22-8-25 NMSA 1978, the equalization guarantee for fiscal year 1998 shall be distributed as follows:

(1) using the fiscal year 1997 total program cost plus forty million dollars (\$40,000,000) included in the state equalization guarantee, calculate the program cost for each school district and the statewide total program cost, and the district and statewide percentage change from the fiscal year 1997 program cost. Establish a cap for an interim program cost, which is one and three-fourths multiplied by the statewide average percentage increase. For districts whose calculated program cost is less than the program cost for fiscal year 1997, the interim program cost shall be the program cost for fiscal year 1997. For districts whose calculated program cost is between the program cost for fiscal year 1997 and the established cap, the interim program cost shall be the calculated program cost. For districts whose calculated program cost exceeds the cap (capped districts), the interim program cost shall be the program cost as capped;

(2) the excess funds from the capped interim program costs shall be redistributed to the capped districts in proportion to which each capped district's program units bear to the total program units of the capped districts;

(3) seven million six hundred ninety-three thousand one hundred dollars (\$7,693,100)

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of the state equalization guarantee shall be distributed to each district in proportion to which the district's total program units bear to the statewide total program units. The total program cost for each school district shall be the sum of distribution calculated in this paragraph and Paragraphs (1) and (2) above; and

(4) for the purposes of these calculations, program cost for fiscal year 1997 shall be defined as the program cost adjusted for the establishment of a high school in Rio Rancho."

9. On page 3, strike all of lines 10 through 14.

10. On page 3, line 23, strike "12,088.0" and insert in lieu thereof "3,100.0".

11. On page 3, line 25, strike "1,300.0" and insert in lieu thereof "500.0".

12. On page 4, strike all of lines 1 through 6 and insert in lieu thereof:

"Prior to distribution of the funds included in the general fund appropriation to the incentives for school improvement fund, the state department of education shall develop a formula by



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which to measure school achievement in the areas of academic performance with consideration for socioeconomic variables. The funds shall be used to provide financial incentives to individual schools that exceed expected academic performance. The department shall submit its formula to the legislative education study committee for review."

13. On page 4, line 7, strike "1,433,008.0" and insert in lieu thereof "1,352,577.9".

14. On page 4, line 8, strike "4,700.0" and insert in lieu thereof "3,100.0".

15. On page 4, between lines 8 and 9, insert the following under the Federal Funds column:

"FEDERAL FLOW THROUGH GRANTS                      200,426.7".

16. On page 4, line 22, strike "62.0" and insert in lieu thereof "65.0".

17. On page 5, line 4, strike "5,000.0" and insert in lieu thereof "2,735.0".

18. On page 5, line 7, after "projects" insert "for pilot programs", strike the remainder of

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the line and strike all of lines 8 through 13.

19. On page 5, line 14, under the column "other state funds" strike "15.9".

20. On page 6, line 5, strike "700.0" and insert in lieu thereof "375.0".

21. On page 6, line 7, strike the following:

"study	500.0" and insert in lieu thereof
"and Equity Analysis	400.0".

22. On page 6, strike all of lines 8 through 12.

23. On page 6, strike all of lines 15 through 22 and insert in lieu thereof the following new items (numbers in General Fund column):

"Education background check	60,000.0
School-to-work	100,000.0"

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24. Renumber succeeding items accordingly.
25. On page 6, line 24, strike "permanent" and insert in lieu thereof "term".
26. On page 7, line 1, strike "seven hundred thousand dollars (\$700,000)" and insert in lieu thereof "three hundred seventy-five thousand dollars (\$375,000)".
27. On page 7, line 4, strike "five hundred thousand dollars (\$500,000)" and insert in lieu thereof "four hundred thousand dollars (\$400,000)".
28. On page 7, line 5, strike "study" and insert in lieu thereof "and equity analysis".
29. On page 7, line 5, strike "conduct" and insert in lieu thereof "contract for".
30. On page 7, line 6, strike "study" and insert "analysis".
31. On page 7, between lines 8 and 9, insert:

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"The general fund appropriation of sixty thousand dollars (\$60,000) for educator background checks is contingent upon passage of legislation requiring applicants for initial certification to submit to a background check.

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COMMITTEE

STRATEGIC PLANNING

70.0".

32. On page 7, line 10, strike "250.0" and insert in lieu thereof "150.0".

33. On page 7, line 11, strike "250.0" and insert in lieu thereof "100.0".

34. Adjust all totals and subtotals and correct all internal references accordingly.,

and thence referred to the APPROPRIATIONS AND FINANCE COMMITTEE.

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Respectfully submitted,

\_\_\_\_\_  
Samuel F. Vigil, Chairman

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

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

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The roll call vote was 11 For 1 Against

Yes: 11

No: S. M. Williams

Excused: Nicely

Absent: None

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SENATE FLOOR AMENDMENT number \_\_\_\_\_ to SENATE BILL 100, as amended

Amendment sponsored by Senator Cynthia Nava

1. On page 5, strike lines 4 through 13.
  
2. Renumber succeeding items accordingly.

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3. On page 6, line 7, strike "500.0" and insert in lieu thereof "400.0".

4. On page 6, between lines 7 and 8, insert the following new items, placing the totals in the "General Fund" column:

"(1) Grads	475.0
(2) Re: Learning	800.0
(3) SIMSE	500.0
(4) Teacher/admin academies	250.0

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(5) Strengthening quality school	325.0
(6) Project LEAD	150.0
(7) Pre-K early start project	825.0
(8) Educator background checks	175.0
(9) Native American and other technology	1,600.0".

5. Renumber succeeding items and adjust all totals and subtotals accordingly.

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6. On page 7, line 4 strike "five hundred thousand dollars (\$500,000)" and insert in lieu thereof "four hundred thousand dollars (\$400,000)".

7. On page 7, between lines 8 and 9 insert:

"The general fund appropriation of eight hundred twenty-five thousand dollars (\$825,000) for pre-K early start projects is for competitive grants for school districts with a high percentage of limited English proficient and Title I eligible students. The state department of public education shall develop a request for proposals, conduct an application and review process of school district proposals and distribute funds to school districts whose proposals meet the criteria specified in the state department of public education's request for proposals. The criteria developed by the state department of public education must include an evaluation component to assess the effectiveness of the projects.

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The general fund appropriation of one million six hundred thousand dollars (\$1,600,000) for Native American and other technology shall be distributed by the state department of public education on a per membership basis to school districts with Native American student enrollments of more than ten and one-half percent and to school districts with a total assessed valuation per membership less than the state average for fiscal year 1997.

The general fund appropriation of one hundred seventy-five thousand dollars (\$175,000) for educator background checks is contingent upon passage and enactment into law by the first session of the forty-third legislature of Senate Bill 106 that requires new applicants for a New Mexico educator license and applicants for employment to submit to a criminal background check."

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Cynthia Nava

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

Date \_\_\_\_\_

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