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HOUSE JOINT MEMORIAL 38

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

JAMES G. TAYLOR

A JOINT MEMORIAL

REQUESTING THE LEGISLATIVE EDUCATION STUDY COMMITTEE AND THE STATE DEPARTMENT OF PUBLIC EDUCATION TO DEVELOP RECOMMENDATIONS FOR THE LEGISLATURE TO HONOR AND BUDGET FOR ENFORCEMENT OF ARTICLE 12, SECTION 8 OF THE CONSTITUTION OF NEW MEXICO REQUIRING TEACHER PROFICIENCY IN SPANISH.

WHEREAS, Article 12, Section 8 of the constitution of New Mexico requires that "the legislature shall provide for the training of teachers in the normal schools or otherwise so that they may become proficient in both the English and Spanish languages, to qualify them to teach Spanish-speaking pupils and students in the public schools and educational institutions of the state, and shall provide proper means and methods to facilitate the teaching of the English language and other branches of learning to such pupils and students."; and

Underscored material = new
[bracketed material] = delete

1 WHEREAS, an attorney general's opinion published in 1968
2 concluded that "this section does not require that all
3 teachers in the state be proficient in both English and
4 Spanish or that all teachers who teach Spanish-speaking pupils
5 be proficient in both English and Spanish, [but rather] the
6 clear intent is to teach English to Spanish-speaking students
7 and to assure that the Spanish and English languages will
8 always be available to prospective teachers in the teachers'
9 colleges and that Spanish-speaking pupils will be provided the
10 means and methods to learn the English language as well as
11 other subjects of learning"; and

12 WHEREAS, another attorney general's opinion in 1971 also
13 said that "this section is a mandate to the legislature to
14 provide teachers proficient in both English and Spanish to
15 teach Spanish-speaking pupils [and] it does not require all
16 teachers to have this proficiency";

17 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
18 STATE OF NEW MEXICO that the legislative education study
19 committee and the state department of public education develop
20 a plan and budget to implement and honor the provisions of
21 Article 12, Section 8 of the constitution of New Mexico; and

22 BE IT FURTHER RESOLVED that the plan and its
23 recommendations be submitted to the legislature by January 1,
24 1999; and

25 BE IT FURTHER RESOLVED that copies of this memorial be

Underscored material = new
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1 transmitted to the director of the legislative education study
2 committee staff and to the superintendent of public
3 instruction.

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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6 February 9, 1998

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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 JOINT MEMORIAL 38

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

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17 1. On page 1, line 11, after "COMMITTEE" insert
18 "COMMISSION ON HIGHER EDUCATION".

19
20 2. On page 2, line 19, after "committee" insert
21 "commission on higher education".

22
23 3. On page 3, line 3, after "instruction" insert
24 "commission on higher education".

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. 121768. 2

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 HJM 38

Page 5

4 Respectfully submitted,
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10 Rick Mi era, Chai rman
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12 Adopted _____

Not Adopted _____

13
14 (Chi ef Clerk)

(Chi ef Clerk)

15
16 Date _____

17 The roll call vote was 11 For 0 Against

18 Yes: 11

19 Excused: Ni cely, Vigil,

20 Absent: None
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24 G: \BILLTEXT\BILLW_98\HJ038
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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

1 HJM 38

Page 6

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FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

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February 15, 1998

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Mr. President:

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Your EDUCATION COMMITTEE, to whom has been referred

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HOUSE JOINT MEMORIAL 38, as amended

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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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. 121768. 2

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

1 HJM 38

Page 7

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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 9 For 0 Against

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Yes: 9

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No: 0

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Excused: Gorham

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Absent: None

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HJ038ED1

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Underscored material = new
[bracketed material] = delete