

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 279

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

INTRODUCED BY

James Roger Madalena

AN ACT

RELATING TO EDUCATION; CREATING THE NATIVE AMERICAN EDUCATION
FUND; MAKING AN APPROPRIATION.

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

Section 1. NATIVE AMERICAN EDUCATION FUND-- SET-ASIDE
REQUIRED-- PURPOSES. --

A. The "Native American education fund" is created
in the state treasury.

B. An amount of money equal to the total amount
submitted to the state in the four quarters ending on
September 30 prior to the transfer by Indian nations, tribes
or pueblos pursuant to gaming revenue-sharing agreements shall
be transferred on January 1 of each year from the general fund
to the Native American education fund.

C. The money in the Native American education fund

underscored material = new
[bracketed material] = del ete

1 shall be expended for the purpose of:

2 (1) developing necessary infrastructure and
3 facilities for schools, including post-secondary schools,
4 that:

5 (a) have been established in the state
6 by the federal government or an Indian nation, tribe or pueblo
7 to provide education to tribal members; or

8 (b) are public schools in which the
9 total Native American student membership is ten percent or
10 greater;

11 (2) providing scholarships to students
12 attending post-secondary educational institutions in New
13 Mexico that were established by the federal government or an
14 Indian nation, tribe or pueblo located in whole or in part in
15 the state; or

16 (3) augmenting the state funding of the
17 schools to allow programs to be provided that improve the
18 educational success or further the cultural competency of
19 Native American students.

20 D. As used in this section:

21 (1) "cultural competency" means knowledge and
22 understanding of one's own culture, including language,
23 tradition and history proficiency; and

24 (2) "membership" means the total enrollment
25 of qualified students on the current roll of a class or school

underscored material = new
[bracketed material] = delete

1 on a day specified by the state department of public education
2 as the day that public school membership is determined. The
3 current roll shall be established in the same manner it is
4 established pursuant to the Public School Finance Act.

5 E. Annually, during each legislative session, the
6 legislature shall specify projects to be funded from the money
7 in the Native American education fund and appropriate the
8 money to fund those projects.

9 F. Any unexpended or unencumbered balance
10 remaining at the end of any fiscal year in the Native American
11 education fund shall not revert to the general fund. All
12 interest or other earnings made from investing the money in
13 the Native American education fund shall accrue to the fund
14 and be available for appropriation by the legislature for the
15 purposes identified in this section for which the fund can be
16 expended.

17 Section 2. APPROPRIATION. --Thirty-one million six
18 hundred thirty-two thousand seven hundred seventy-nine dollars
19 (\$31,632,779) is appropriated from the general fund to the
20 Native American education fund for expenditure in fiscal year
21 2000 and subsequent fiscal years for the purpose of funding
22 projects selected by the legislature to receive money from
23 that fund. Any unexpended or unencumbered balance remaining
24 in the fund at the end of a fiscal year shall not revert to
25 the general fund.

. 125937. 2

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
3
4
5

6 February 23, 1999
7

8 Mr. Speaker:
9

10 Your EDUCATION COMMITTEE, to whom has been referred
11

12 HOUSE BILL 279
13

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

16 1. On page 2, line 1, after "be" insert "administered by
17 the New Mexico office of Indian affairs and".

18 2. On page 3, line 21, strike "2000" and insert in lieu
19 thereof "1999".,
20

21 and thence referred to the APPROPRIATIONS AND FINANCE
22 COMMITTEE.
23
24
25

underscored material = new
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HEC/HB279

Page 5

Respectfully submitted,

Rick Miera, Chairman

Adopted _____

(Chief Clerk)

Not Adopted _____

(Chief Clerk)

Date _____

The roll call vote was 14 For 0 Against

Yes: 14

Excused: Burpo, Stapleton

Absent: None

J:\99BillsWP\H0279

underscored material = new
[bracketed material] = delete