

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 612

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

INTRODUCED BY

J. Paul Taylor

AN ACT

AMENDING LAWS 1998 (1ST S. S.), CHAPTER 12, SECTION 1 TO REMOVE THE REQUIREMENT THAT THE ADULT BASIC EDUCATION MATCH BE USED AS MATCH FOR THE FEDERAL WELFARE-TO-WORK GRANT; DECLARING AN EMERGENCY.

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

Section 1. Laws 1998 (1st S. S.), Chapter 12, Section 1 is amended to read:

"Section 1. Laws 1998, Chapter 116, Section 6 is amended to read:

"Section 6. ADDITIONAL NEW MEXICO WORKS ACT AND WELFARE-TO-WORK APPROPRIATIONS. --The following amounts are appropriated from the funds as indicated for the purposes specified. Unless otherwise indicated, the appropriations are for expenditure in fiscal year 1999. Any unexpended or

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 unencumbered balances of the general fund appropriation  
2 remaining at the end of fiscal year 1999 shall revert to the  
3 general fund.

4           A. Five million dollars (\$5,000,000) is  
5 appropriated from the general fund to the children, youth and  
6 families department to expand the headstart program to serve  
7 participants as defined in the New Mexico Works Act.  
8 Expenditure of any of the appropriation is contingent upon  
9 certification by the secretary of human services to the  
10 secretary of finance and administration that the children,  
11 youth and families department has entered into an agreement  
12 with the human services department that provides for  
13 appropriate administrative and accounting procedures and  
14 oversight by the human services department to ensure that  
15 expenditures will meet all federal and state requirements for  
16 maintenance of effort; and monthly reports of all expenditures  
17 by the children, youth and families department to the  
18 department of finance and administration, the welfare reform  
19 oversight committee and the legislative finance committee.  
20 The appropriation shall not be expended for the purpose of  
21 matching federal funds or for any other purpose that may  
22 jeopardize its classification as maintenance of effort. The  
23 appropriation shall be reported by the human services  
24 department as maintenance of effort and included in the state  
25 plan for the temporary assistance for needy families block

. 126582. 1

underscored material = new  
[bracketed material] = delete

1 grant.

2 B. Two hundred thousand dollars (\$200,000) is  
3 appropriated from the general fund to the human services  
4 department to develop programs in cooperation with the Martin  
5 Luther King, Jr. commission to provide services for  
6 participants as defined in the New Mexico Works Act. The  
7 programs developed shall maintain a work-first concept,  
8 contain measurable performance standards, identify the number  
9 of target clients and provide a tracking and reporting  
10 element. The appropriation shall not be expended for any  
11 purpose that may jeopardize its classification as maintenance  
12 of effort. The human services department shall ensure that  
13 expenditures meet all federal and state requirements for  
14 maintenance of effort. The appropriation shall be reported by  
15 the human services department as maintenance of effort. The  
16 human services department shall report quarterly to the  
17 welfare reform oversight committee on the programs developed.

18 C. Five hundred thousand dollars (\$500,000) is  
19 appropriated from the general fund to the commission on the  
20 status of women to develop, establish and operate job  
21 placement programs for participants as defined in the New  
22 Mexico Works Act that are referred to the commission by the  
23 department. In developing, establishing and operating these  
24 job placement programs, the commission shall cooperate and  
25 coordinate with the human services department. Prior to the

underscored material = new  
[bracketed material] = del ete

1 expenditure of any of the appropriation, the commission shall  
2 seek the approval of each program it develops from the  
3 department. Expenditure of any of the appropriation is  
4 contingent upon certification by the secretary of human  
5 services to the department of finance and administration that  
6 the commission has entered into an agreement with the human  
7 services department that provides for programs that maintain a  
8 work-first concept; programs that contain measurable  
9 performance standards; programs that identify the number of  
10 target clients; programs that provide a tracking and reporting  
11 element; and appropriate administrative and accounting  
12 procedures and oversight by the human services department to  
13 ensure that expenditures shall meet all federal and state  
14 requirements for maintenance of effort, including adherence to  
15 the cap on administrative costs. Additionally, the commission  
16 shall provide quarterly reports of all its expenditures to the  
17 human services department, the welfare reform oversight  
18 committee and the legislative finance committee. The  
19 appropriation shall not be expended for any purpose that may  
20 jeopardize its classification as maintenance of effort. The  
21 appropriation shall be reported by the human services  
22 department as maintenance of effort.

23 D. Five hundred thousand dollars (\$500,000) is  
24 appropriated from the general fund to the regents of western  
25 New Mexico university to provide job training and placement

. 126582. 1

underscored material = new  
~~[bracketed material] = delete~~

1 for participants as defined in the New Mexico Works Act that  
2 are referred to western New Mexico university by the  
3 department. In providing job training and placement for  
4 participants, western New Mexico university shall coordinate  
5 and cooperate with the human services department. Prior to  
6 the expenditure of any of the appropriation, western New  
7 Mexico university shall seek the approval of each program it  
8 develops from the human services department. Expenditure of  
9 any of the appropriation is contingent upon certification by  
10 the secretary of human services to the department of finance  
11 and administration that western New Mexico university has  
12 entered into an agreement with the human services department  
13 that provides for programs that maintain a work-first concept;  
14 programs that contain measurable performance standards;  
15 programs that identify the number of target clients; programs  
16 that provide a tracking and reporting element; and appropriate  
17 administrative and accounting procedures and oversight by the  
18 human services department to ensure that expenditures shall  
19 meet all federal and state requirements for maintenance of  
20 effort, including adherence to the cap on administrative  
21 costs. Additionally, western New Mexico university shall  
22 provide quarterly reports of all the expenditures in these job  
23 training and placement programs to the human services  
24 department, the welfare reform oversight committee and the  
25 legislative finance committee. The appropriation shall not be

. 126582. 1

underscored material = new  
[bracketed material] = delete

1 expended for any purpose that may jeopardize its  
2 classification as maintenance of effort. The appropriation  
3 shall be reported by the human services department as  
4 maintenance of effort. An additional three hundred fifty  
5 thousand dollars (\$350,000) is appropriated from the general  
6 fund to the regents of western New Mexico university to  
7 continue the child development center.

8 E. One million dollars (\$1,000,000) is  
9 appropriated from the general fund to the department of health  
10 to provide a one-time expenditure for substance abuse  
11 counseling for participants as defined pursuant to the New  
12 Mexico Works Act. The appropriation shall be reported by the  
13 labor department as a match for the federal welfare-to-work  
14 grant. Expenditure of any of the appropriation is contingent  
15 upon certification by the secretary of labor to the secretary  
16 of finance and administration that the department of health  
17 has entered into an agreement with the labor department that  
18 provides for appropriate administrative and accounting  
19 procedures and oversight by the labor department to ensure  
20 that the expenditure meets all federal and state requirements  
21 for the match for the federal welfare-to-work grant. The  
22 appropriation shall not be expended for any purpose that may  
23 jeopardize its classification as match for the federal  
24 welfare-to-work grant.

25 F. Two million dollars (\$2,000,000) is

. 126582. 1

underscored material = new  
[bracketed material] = delete

1 appropriated from the general fund to the human services  
2 department to provide job training and placement services to  
3 participants as defined in the New Mexico Works Act that  
4 include programs that maintain a work-first concept; programs  
5 that contain measurable performance standards; programs that  
6 identify the number of target clients; and programs that  
7 provide a tracking and reporting element. The appropriation  
8 shall not be expended for any purpose that may jeopardize its  
9 classification as maintenance of effort. The human services  
10 department shall ensure that expenditures meet all federal and  
11 state requirements for maintenance of effort. The  
12 appropriation shall be reported by the human services  
13 department as maintenance of effort.

14 G. Two million four hundred eighty-two thousand  
15 five hundred dollars (\$2,482,500) is appropriated from the  
16 general fund to the human services department to develop early  
17 childhood-family support and education training programs with  
18 the state department of public education to provide before-  
19 and after-school programs to students who are ages five  
20 through eight who are participants as defined in the New  
21 Mexico Works Act. The human services department shall also  
22 develop job skills and leadership development programs for the  
23 parents who are participants as defined in the New Mexico  
24 Works Act. The human services department shall make referrals  
25 of eligible families. The early childhood-family support and

underscored material = new  
[bracketed material] = delete

1 education training programs shall be directed to areas lacking  
2 certified child-care services as determined by the children,  
3 youth and families department. The programs developed shall  
4 contain measurable performance standards, identify the number  
5 of target clients and provide a tracking and reporting  
6 element. The appropriation shall not be expended for any  
7 purpose that may jeopardize its classification as maintenance  
8 of effort. The human services department shall ensure that  
9 expenditures meet all federal and state requirements for  
10 maintenance of effort. The appropriation shall be reported by  
11 the human services department as maintenance of effort. The  
12 human services department shall report to the welfare reform  
13 oversight committee on the programs developed.

14 H. Five hundred thousand dollars (\$500,000) is  
15 appropriated from the general fund to the department of health  
16 to provide a one-time expenditure for substance abuse  
17 counseling for Native Americans who are participants as  
18 defined in the New Mexico Works Act. The appropriation shall  
19 be reported by the labor department as a match for the federal  
20 welfare-to-work grant. Expenditure of any of the  
21 appropriation is contingent upon certification by the  
22 secretary of labor to the secretary of finance and  
23 administration that the department of health has entered into  
24 an agreement with the labor department that provides for  
25 appropriate administrative and accounting procedures and

underscored material = new  
[bracketed material] = delete

1 oversight by the labor department to ensure that the  
2 expenditure meets all federal and state requirements for the  
3 match for the federal welfare-to-work grant. The  
4 appropriation shall not be expended for any purpose that may  
5 jeopardize its classification as match for the federal  
6 welfare-to-work grant.

7 I. Thirteen million eight hundred thirty-eight  
8 thousand dollars (\$13,838,000) is appropriated from the  
9 temporary assistance for needy families block grant to the  
10 human services department for training participants to become  
11 licensed daycare providers and for other services as defined  
12 in the New Mexico Works Act.

13 J. Of the general fund appropriations made to the  
14 human services department in Section 4 of the General  
15 Appropriation Act of 1998, the human services department shall  
16 report six hundred thousand dollars (\$600,000) in the  
17 department's child support enforcement division for child  
18 support enforcement pass-throughs to participants as defined  
19 in the New Mexico Works Act as maintenance of effort for the  
20 temporary assistance for needy families block grant.

21 ~~[K. Of the general fund appropriation made to the~~  
22 ~~state department of public education in Section 4 of the~~  
23 ~~General Appropriation Act of 1998, the labor department shall~~  
24 ~~report six hundred thousand dollars (\$600,000) for the adult~~  
25 ~~basic education match as a match for the federal welfare-to-~~

underscored material = new  
[bracketed material] = delete

1 ~~work grant. The state department of public education shall~~  
2 ~~enter into an agreement with the labor department that~~  
3 ~~provides for appropriate administrative and accounting~~  
4 ~~procedures and oversight by the labor department to ensure~~  
5 ~~that the expenditure meets all federal and state requirements~~  
6 ~~for the match for the federal welfare to work grant. The~~  
7 ~~appropriation shall not be expended for any purpose that may~~  
8 ~~jeopardize its classification as match for the federal~~  
9 ~~welfare to work grant.~~

10           ~~L.]~~ K. Of the general fund appropriation made to  
11 children, youth and families department in Section 4 of the  
12 General Appropriation Act of 1998 for the child care  
13 development block grant in the children, youth and families  
14 department, up to two million eight hundred thousand dollars  
15 (\$2,800,000) and not less than two million dollars  
16 (\$2,000,000) shall be counted as maintenance of effort for the  
17 temporary assistance for needy families block grant.

18           ~~[M.]~~ L. The human services department shall  
19 report any amount of general assistance payments made to  
20 lawfully admitted immigrant families as maintenance of effort  
21 and include the payments in the state plan for the temporary  
22 assistance for needy families block grant.

23           ~~[N.]~~ M. Four million dollars (\$4,000,000) is  
24 appropriated from the general fund operating reserve to the  
25 department of finance and administration. Any unexpended or

underscored material = new  
[bracketed material] = delete

1 unencumbered balance remaining at the end of fiscal year 1999  
2 shall revert to the general fund operating reserve. The  
3 appropriation, or so much thereof as is necessary, shall be  
4 distributed to the human services department for the purpose  
5 of meeting the state and federal requirements for maintenance  
6 of effort. No distribution shall be made until the  
7 distribution has been approved by the secretary of finance and  
8 administration.

9 [0-] N. Upon certification by the secretary of  
10 human services that a budget adjustment is essential to meet  
11 the state and federal maintenance of effort and the purpose of  
12 the budget adjustment is not contrary to legislative intent,  
13 the human services department may request a budget adjustment  
14 as necessary to ensure that all federal and state requirements  
15 for maintenance of effort are met. The department of finance  
16 and administration shall certify that the request meets the  
17 conditions specified in this subsection before approving the  
18 request. The procedures delineated in Section 6-3-25 NMSA  
19 1978 shall be followed in approving a request. ". "

20 Section 2. EMERGENCY.--It is necessary for the public  
21 peace, health and safety that this act take effect  
22 immediately.

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

6 March 1, 1999  
7

8 Mr. Speaker:  
9

10 Your EDUCATION COMMITTEE, to whom has been referred  
11

12 HOUSE BILL 612  
13

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

17 Respectfully submitted,  
18

19  
20  
21 \_\_\_\_\_  
22 Rick Miera, Chairman  
23  
24  
25

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HEC/HB 612

Page 13

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

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 11 For 0 Against

Yes: 11

Excused: Begaye, Burpo, Knauer, Stapleton, Wright

Absent: None

J: \99BillSWP\H0612

underscored material = new  
[bracketed material] = delete

1 FORTY- FOURTH LEGISLATURE  
2 FIRST SESSION, 1999

3  
4 March 3, 1999

5  
6  
7 Mr. Speaker:

8  
9 Your APPROPRIATIONS AND FINANCE COMMITTEE, to  
10 whom has been referred

11 HOUSE BILL 612

12  
13 has had it under consideration and reports same with  
14 recommendation that it DO PASS.

15  
16 Respectfully submitted,

17  
18  
19  
20 \_\_\_\_\_  
21 Max Coll, Chairman  
22  
23  
24  
25

underscored material = new  
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

Page 15

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

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 14 For 0 Against

Yes: 14

Excused: Abeyta, Larrañaga, Marquardt

Absent: None

J: \99BillSWP\H0612

underscored material = new  
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

Page 16

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

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

March 14, 1999

Mr. President:

Your EDUCATION COMMITTEE, to whom has been referred

HOUSE BILL 612

has had it under consideration and reports same with  
recommendation that it DO PASS.

Respectfully submitted,

---

Cynthia Nava, Chairman

underscored material = new  
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

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

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

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Garcia, Lopez, Pinto

Absent: None

H0612ED1

underscored material = new  
[bracketed material] = delete