

April 25, 2005

MEMORANDUM

TO: Persons Interested

FROM: D. Pauline Rindone

RE: Public School-Related Legislation Introduced but **Not Passed** by the Forty-Seventh Legislature, First Session, 2005

On April 11, 2005, I distributed the summary of public school-related legislation passed by the Forty-Seventh Legislature, First Session, 2005, **after executive action**.

To complete the review of the 2005 legislative activity, the accompanying list summarizes the public school-related legislation that was introduced, but **did not pass**. This list is distributed upon request and is posted on our website.

FAILED
PUBLIC SCHOOL-RELATED LEGISLATION
FORTY-SEVENTH LEGISLATURE, FIRST SESSION, 2005

HOUSE BILLS

- *H 3a EDUCATION APPROPRIATION ACT, *Miera* — appropriates approximately \$2.1 billion from the General Fund for Public School Support, including sufficient funds to implement the \$40,000 minimum salary for level 2 and level 3-A teachers; other public school support appropriations include the State Equalization Guarantee, Public School Transportation, the Instructional Material Fund, the Educational Technology Fund, the Incentives for School Improvement Fund, and other related appropriations. (Succeeding entries: CS/H 2a, Laws 2005, Chapter 33)
- H 7 GENERAL APPROPRIATION ACT OF 2005, *Varela* — appropriates approximately \$2.1 billion from the General Fund for Public School Support; public school support appropriations include the State Equalization Guarantee, Public School Transportation, the Instructional Material Fund, the Educational Technology Fund, the Incentives for School Improvement Fund, and other related appropriations.
- *H 8a DEVELOPMENT TRAINING PROGRAMS, *Lujan,B* — appropriates \$2.0 million from the General Fund to the Development Training Fund for FY 06 and subsequent fiscal years for a development training program providing classroom and in-plant training to furnish qualified manpower resources for certain new or expanding industries and businesses in New Mexico; and \$500,000 from the General Fund to the Cultural Affairs Department for Farm and Ranch Heritage museum educational and training programs. (May affect PED and public schools)
- H 18 REQUIRE VOTER IDENTIFICATION, *Fox-Young* — amends the Election Code to
CS/H 18 require voters to present photo identification, which may include identification issued by
et al. an Indian nation, tribe, or pueblo; and requires the Secretary of State to establish
procedures for submitting required identification with mailed-in absentee ballots. (May
affect PEC and local school board elections) (CS/H 18, 41, 63, 208, & 329)
- H 20 REQUIRE VOTER IDENTIFICATION BY SIGNATURE, *Fox-Young* — amends the
Election Code to require signature rosters at polling places to contain digital facsimile
signatures of each registered voter and to require the precinct board to confirm the
validity of the signature of the voter; and appropriates \$250,000 from the General Fund
to the Secretary of State for FY 06 and FY 07 to reimburse counties for purchasing
digital facsimile signature printers. (May affect PEC and local school board elections)
- H 21 ALLOW ABSENTEE VOTING FOR 40 DAYS, *Fox-Young* — amends the Election
Code to allow absentee voting up to 40 days before an election. (May affect PEC and
local school board elections)
- H 24a COUNTING OF VOTING-MACHINE-REJECTED BALLOTS, *Fox-Young* — amends
the Election Code to require a member of an absent voter precinct board to prepare a
duplicate of an absentee ballot that is so damaged, defective, or marked improperly that
it is rejected by a voting machine and to process the duplicate ballot like an emergency
ballot. (May affect PEC and local school board elections)

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- H 29 PROVISIONAL BALLOT COUNTING REQUIREMENTS, *Fox-Young* — amends the Election Code to require that only those provisional ballots cast in the precinct, rather than the county, in which a voter is registered may be counted. (May affect PEC and local school board elections)
- H 38 SOUTHEASTERN NM EDUCATIONAL RESOURCE CENTER, *Heaton* — appropriates \$365,000 from the General Fund to PED for FY 06 for an educational resource center in southeastern New Mexico to support middle schools that implement career technical education programs based on a model developed by the Career Dreams Educational Foundation.
- H 41 REQUIRE VOTER IDENTIFICATION, *Marquardt* — amends the Election Code to require voters to present identification, which may include identification issued by an Indian nation, tribe, or pueblo. (May affect PEC and local school board elections) [Identical to H 208] (Succeeding entries: H 18)
- H 48 PUBLIC EMPLOYEE COST-OF-LIVING INCREASES, *Varela* — appropriates more than \$89.0 million from the General Fund to DFA for FY 06 to provide a 3.0 percent cost-of-living salary increase to various categories of public employees, among them public school employees, including transportation employees. (Succeeding entries: H 2)
- H 49 CREATE OFFICE OF STATE COMPTROLLER, *Varela* — creates the Office of the State Comptroller, with a comptroller appointed by the Governor with the advice and consent of the Senate; grants the Comptroller general oversight authority of the implementation of the Accountability in Government Act and several executive agencies, among them PED; requires the LFC to conduct performance audits pursuant to the Accountability in Government Act; requires agencies to cooperate with the Comptroller and the LFC; and appropriates \$750,000 from the General Fund to the Office of the State Comptroller for FY 06 to carry out the provisions of the act. [Identical to S 170]
- H 55a EDUCATIONAL RETIREMENT FUND INVESTMENTS, *Heaton* — amends statute to require the Educational Retirement Board (ERB) to invest funds in accordance with the Uniform Prudent Investor Act, to require the ERB to provide quarterly reports to the LFC and DFA, and to require the ERB to ratify its written investment policy annually and provide it to the LFC and DFA. (For the LESC)
- H 62a ELEMENTARY SCHOOL PHYSICAL EDUCATION, *Miera* — creates the
FL/H 62 Elementary Physical Education Program – a one-year program to provide students in kindergarten through 6th grade with physical education programs that align with PED’s physical education content and performance standards; prescribes criteria for the program plan that school districts submit to PED; and prescribes criteria for the program itself.
- H 63 REQUIRE VOTER IDENTIFICATION, *Larrañaga* — amends the Election Code to require voters to present identification. (May affect PEC and local school board elections) (Succeeding entries: H 18)
- H 83a EDUCATIONAL SUPPORT PROVIDER LICENSURE, *Stewart* — amends statute to require PED to provide a progressive licensure and compensation framework for all instructional support providers; prescribes criteria for each of three levels in the

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framework; and establishes minimum salaries for each of the three levels by school year 2007-2008, with PED's adoption of a highly objective performance evaluation method. (For the LESC)

- H 109 EDUCATIONAL RETIREMENT ACT CONTRIBUTIONS, *Park* — amends the Educational Retirement Act to prohibit certain employees under the PERA from making contributions to or acquiring service credit with the ERA.
- CS/H 115 H 115 NATIVE AMERICAN BILINGUAL SCHOOL PROGRAMS, *Begaye* — amends the Public School Code to require Native American language programs to be offered as electives at the high school level in school districts that employ school personnel with a Native American language license endorsement or a Native American Language and Culture Certificate; to require PED to establish a license endorsement in Native American languages by July 1, 2006; to require for graduation one-half unit in New Mexico history for students entering the 9th grade beginning in school year 2005-2006; and to provide for seven and one-half elective units for students entering the 9th grade in school year 2005-2006.
- *H 117a RETIREE HEALTH CARE AUTHORITY EXPENSES, *Foley* — appropriates \$950,000 from the Retiree Health Care Fund to the Retiree Health Care Authority for FY 05 to fund program operations, including the establishment of a satellite office in Santa Fe. [Similar to *S 322]
- H 119a LOTTERY SCHOLARSHIP ELIGIBILITY EXPANSION, *Gonzales* — amends statute to extend eligibility for the lottery scholarship to full-time resident students who, within 24 months of (rather than immediately after) earning a high school diploma or GED, are accepted at one of New Mexico's public postsecondary institutions; to tribal colleges located in New Mexico; and to otherwise qualified students who, as dependents of New Mexico residents who work for state, federal or tribal government, who are temporarily assigned outside New Mexico, and who file New Mexico income tax returns, were required to complete high school out of state because of their parents' work assignments. (For the LESC)
- H 120 SMALL SCHOOL DISTRICT OPERATIONAL EXPENSES, *Gonzales* — appropriates \$2.2 million from the General Fund to PED for FY 05 and FY 06 to assist school districts with memberships of 200 or fewer in covering required operational expenditures, including any legislatively mandated salary or other requirements for which appropriated program cost is insufficient. (For the LESC)
- H 125 NATIVE AMERICAN STAFF TERMINATION REQUIREMENT, *Begaye* — amends the Public School Code to require local school boards to review the annual school district Native American staffing pattern report of the Indian Education Advisory Council and to work with the Assistant Superintendent for Indian Education to address any inadequacies; to require the local superintendent of a district with an inadequate pattern of Native American staffing to notify the Assistant Superintendent of Indian Education five days before terminating a Native American staff member; to require the Assistant Superintendent for Indian Education to monitor Native American staffing patterns; and to require the Indian Education Advisory Council to make an annual report to the Assistant Superintendent and to the Legislature's Indian Affairs Committee.

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- H 127 INDIAN EDUCATION ACT BILINGUAL EDUCATION, *Begaye* — appropriates \$250,000 from the General Fund to PED for FY 06 and FY 07 for assessment of existing Native American bilingual language programs and establishment of a pilot program for training Native American teachers to generate instructional materials digitally; and specifies uses of the appropriation. [Identical to S 219]
- H 136 PLACEMENT TESTS IN PUBLIC COLLEGES, *Williams* — adds a new section of
CS/H 136a statute to require CHE to develop or adopt standardized placement tests in language arts and math for use by all public institutions of higher education (IHEs) in New Mexico, to require CHE to ensure that these placement tests are included in the alignment of high school curricula and postsecondary placement tests as required elsewhere in statute, to require the 11th grade standards-based test in language arts and math to be used in preparing a student’s individual program of study for 12th grade pursuant to the graduation requirements and Next Step Plans in the Public School Code, to require PED to develop the 11th grade test in collaboration with two- and four-year IHEs, and to align the test with the state accountability system and the entrance exams used by IHEs; and amends the Public School Code to require that the 11th grade standards-based test be used as the high school competency exam beginning in school year 2009-2010.
- H 137a EDUCATIONAL ASSISTANT LICENSING FRAMEWORK, *Miera* — amends the School Personnel Act to implement a four-level licensing and salary framework for educational assistants (EAs); prescribes minimum salaries for each level, phased in through FY 08, if the Legislature appropriates sufficient money; and requires PED to promulgate rules to ensure that EAs who hold Level 3 or Level 4 licenses meet the standard for paraprofessionals established in federal law for Title I programs. (For the LESC) [Similar to S 523]
- H 138 LOTTERY SCHOLARSHIP ELIGIBILITY DURATION, *Williams* — extends the duration of lottery scholarship program eligibility to five consecutive years for qualified students at four-year institutions of higher education (IHEs) and to three consecutive years for qualified students at two-year IHEs who transfer to four-year IHEs. (For the LESC)
- H 140 LOTTERY SCHOLARSHIPS FOR ASSOCIATE DEGREES, *Williams* — provides four consecutive semesters of eligibility for the lottery scholarship to students who, within two years of attaining an associate degree, are accepted for a bachelor’s degree program at a four-year institution of higher education. (For the LESC)
- H 141 NATIVE AMERICAN CULTURAL PERFORMANCES, *Salazar* — appropriates \$50,000 from the General Fund to the Cultural Affairs Department for FY 06 to support performances of traditional and contemporary Native American performing arts in Santa Fe for the benefit of school children and the general public.
- H 146 SANTA FE PERFORMING ARTS YOUTH EDUCATION, *Wirth* — appropriates \$200,000 from the General Fund to the Cultural Affairs Department for FY 06 to implement and operate a program for youth education in the performing arts, to be conducted in a year-round performing arts center in Santa Fe. [Identical to S 767]
- H 155 NMSU FINANCIAL & ECONOMIC LITERACY PROMOTION, *Garcia, MH* — appropriates \$50,000 from the General Fund to the NMSU Board of Regents for FY 06 to develop partnerships with the public schools and other educational entities to promote financial and economic literacy.

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- H 157a CENTER FOR BORDER EDUCATIONAL LEADERSHIP, *Garcia, MH* — appropriates \$600,000 from the General Fund to the NMSU Board of Regents for FY 06 to support the Center for Border and Indigenous Educational Leadership; requires NMSU to submit a plan for program evaluation to CHE and the LFC by October 1, 2005; and requires NMSU to submit a program evaluation to CHE and the LFC by June 30, 2005. [Similar to S 90]
- H 158 HOME SCHOOL STUDENT TESTING REQUIREMENTS, *Garcia, MH* — amends the Public School Code to require home school students to take the state’s standards-based academic performance tests in their respective school districts and to allow PED to require home school students who do not demonstrate adequate yearly progress to attend a public or private school.
- H 182 EXPLORA SCIENCE CENTER & CHILDREN’S MUSEUM, *Picraux* — appropriates
CS/H 182 \$500,000 from the General Fund to PED for FY 06 to contract with a science center and children’s museum for science education programming to supplement school science activities. [Similar to S 463]
- *H 186a STATEWIDE AGRICULTURAL EDUCATION PROGRAMS, *Moore* — appropriates \$537,100 from the General Fund to the NMSU Board of Regents for FY 05 and FY 06 to support the continuation of agricultural education programs statewide; requires NMSU to submit a plan for program evaluation to CHE and the LFC by October 1, 2005; and requires NMSU to submit a program evaluation to CHE and LFC by June 30, 2005. [Similar to *S 238]
- H 208 REQUIRE VOTER IDENTIFICATION, *Hobbs* — amends the Election Code to require voters to present identification, which may include identification issued by an Indian nation, tribe, or pueblo. (May affect PEC and local school board elections) [Identical to H 41] (Succeeding entries: H 18)
- H 224a AMEND INDIVIDUAL DEVELOPMENT ACCOUNT ACT, *Lundstrom* — amends the Individual Development Account Act to increase the membership of the advisory committee by including a representative of PED, among others; and appropriates \$250,000 from the General Fund to the Local Government Division of DFA for FY 06 to pay the expenses of the advisory committee.
- H 230a PROTECTION AGAINST MINORS AUTHORIZATION, *Stewart* — enacts a new section of the Family Violence Protection Act to authorize orders of protection against minors under certain conditions; and requires the court to seal the records of all proceedings concerning orders of protection when the minor becomes 18, unless there is good cause not to. (May affect public schools)
- H 233 INCOME TAX CREDIT FOR CERTAIN SCHOOL TUITION, *Marquardt* — enacts a new section of the Income Tax Act to allow a tax credit, called the “School Choice Tax Credit,” of up to \$3,000 for tuition paid for a dependent enrolled in an accredited private elementary or secondary school in New Mexico; and to provide that, if the credit exceeds the taxpayer’s income tax liability, the excess be refunded to the taxpayer. [Identical to S 810]

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- H 244 EDUCATION-RELATED TESTING SERVICE CONTRACTS, *Miera* — amends the Procurement Code to allow contracts of up to 12 years for services related to the development and implementation of standardized tests for students in grades K through 12 and services related to the development and implementation of teacher tests for licensure.
- H 252 PUBLIC SCHOOL PROJECT GROSS RECEIPTS, *Larrañaga* — enacts a new section of the Gross Receipts and Compensating Tax Act to exempt from gross receipts tax the receipts from every contract for public school projects budgeted for less than \$250,000.
- H 258 REMOVE CERTAIN CHILD CUSTODY PRESUMPTIONS, *Beam* — amends statute to prohibit a court from presuming, in cases of domestic abuse, that joint custody is in the best interest of a child. (May affect public schools)
- H 260 TRIBAL LITERACY PROGRAMS, *Harrison* — appropriates \$500,000 from the
CS/H 260 General Fund to PED for FY 06 for new literacy programs on six tribal sites that integrate in-school, after-school, and summer school literacy programs for children in grades K through 8; and requires PED to contract with a nonprofit organization that has more than 50 years' experience working with Native American children, that is already working on integrated tribal literacy programs, and that is willing to match the state funds with \$550,000 for the literacy program.
- H 266a ABSENTEE BALLOT PROCESSING & RECORDS, *Sandoval* — amends the Election Code to provide for early processing of absentee ballots and to specify that the absentee ballot register is a public record subject to the Inspection of Public Records Act. (May affect local school board and PEC elections)
- H 270a EDUCATIONAL RETIREMENT EMPLOYER CONTRIBUTION, *Heaton* — amends the Educational Retirement Act to increase the ERA employer contribution by 0.75 percent each year over a 10-year period to work toward bringing solvency to the Educational Retirement Fund, as well as parity with the PERA. (For the LESC)
- H 274 LFC ACTUARIAL ANALYSIS OF RETIREMENT FUNDS, *Moore* — appropriates \$300,000 from the General Fund to the LFC for FY 06 to perform an actuarial analysis of the state's retirement funds. (May affect the Educational Retirement Fund)
- H 280a OFFICE OF PEACE ACT, *Martinez* — enacts the Office of Peace Act; creates the Office of Peace, administratively attached to DFA; provides for a Director of Peace, whose duties include applying the resources and skills of the office to public education, and assisting in policy development for school and gang violence, developing a peace education curriculum, cooperating with the Secretary of Public Education and school superintendents to develop curricula and supporting materials and make them available to school districts, and providing peace education grants; and creates the Citizens Peace Advisory Council, one of whose members is a public school educator appointed by the Secretary of Public Education. [Similar to S 277]
- H 283 PERFORMANCE CONTRACTING ACT, *Saavedra* — enacts the Performance
CS/H 283 Contracting Act; requires every state agency, before it decides to contract for professional services, to evaluate the need according to a prescribed methodology; prescribes elements to be included in a performance contract; prescribes different guidelines for contracts equal to or greater than \$1.0 million and those less than \$1.0 million; and requires DFA to assist other agencies with compliance. (May affect PED) [Similar to S 330]

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- H 286a SCHOOL PRINCIPAL SALARY CALCULATION, *Stewart* — amends the School Personnel Act to implement a phase-in of minimum annual salaries for principals and assistant principals that includes a responsibility factor and an evaluation component, beginning in school year 2006-2007; to provide professional development for one school year for a Level 3-A teacher who does not demonstrate essential competency; and, if the teacher still fails to demonstrate essential competency, to allow a school district not to contract with that teacher to teach in the classroom. (For the LESC)
- H 287 INCREASE FUTURE EDUCATIONAL RETIREE BENEFITS, *Stewart* — amends the Educational Retirement Act to increase the multiplier (currently 2.35) over a five-year period, beginning with an increase of 0.125 in FY 06, FY 07, FY 08, and FY 09 and ending with an increase of 0.150 in FY 10, so that the ERA multiplier equals the PERA multiplier (currently 3.0); and appropriates approximately \$45.1 million from the General Fund to the Educational Retirement Fund for FY 06 and subsequent fiscal years to implement the provisions of the bill. (For the LESC)
- H 288 ADJUST EDUCATIONAL RETIREMENT COST-OF-LIVING, *Stewart* — amends the Educational Retirement Act to bring the ERA cost-of-living adjustment (COLA) to parity with the COLA in PERA, specifically to require that the COLA go into effect three years after the member's retirement (rather than at age 65, as currently in the ERA) and that the COLA be a standard 3.0 percent regardless of the consumer price index (CPI), rather than one-half of the previous year's CPI; and appropriates approximately \$126.1 million from the General Fund to the Educational Retirement Fund for FY 05 and subsequent fiscal years to make the COLA adjustments. (For the LESC)
- *H 290 TOBACCO SETTLEMENT FUND DISTRIBUTION CHANGES, *Fox-Young* — amends statute to eliminate the distribution from the Tobacco Settlement Permanent Fund. (May affect public schools)
- *H 291 DECREASE MOTOR VEHICLE REGISTRATION FEES, *Fox-Young* — amends statute to decrease motor vehicle registration fees, including a reduction in registration fees for school buses from \$7.00 to \$5.00.
- *H 300a STATEWIDE SCHOOL BUS OPERATION FUNDING, *Gonzales* — appropriates approximately \$1.5 million from the General Fund to PED for FY 05 to fund the increase in fuel costs for school bus operations statewide.
- H 302a WNMU SCHOOL OF EDUCATION, *Hamilton* — appropriates \$641,000 from the General Fund to the WNMU Board of Regents for FY 06 to maintain the network for the web-based teacher preparation program at WNMU.
- H 316 IMPROVE MINORITY STUDENT MATH & SCIENCE SKILL, *Powdrell-Culbert* — appropriates \$100,000 from the General Fund to the UNM Board of Regents for FY 06 to enhance pre-college science and mathematics skills and to conduct a summer mathematics and science camp for minority students.
- H 319 INCREASE TOBACCO PRODUCTS TAX, *Beam* — increases the tax rate on tobacco products from 25 percent to 40 percent. (May affect public schools)

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- H 321a TELE-WORK PROGRAM FOR CERTAIN HOME BUSINESSES, *Heaton* — appropriates \$47,900 from the General Fund to the PED Vocational Rehabilitation Division for FY 06 to match federal money for the tele-work program, which provides loans for equipment that persons with disabilities need to start home businesses or for an employee with a disability to work from remote locations. [Similar to S 406]
- H 324a FEE FOR CERTAIN ARREST & BACKGROUND RECORDS, *Swisstack* — authorizes the Department of Public Safety to charge a fee of up to \$53.00 to process fingerprint-supported arrest record information. (May affect public school employees)
- H 328 NORTHERN NM STATE SCHOOL TEACHER PROGRAM, *Rodella* — appropriates \$565,000 from the General Fund to the NNMCC Board of Regents for FY 06 to implement a teacher education program. [Identical to S 321]
- H 329 ELECTION REFORMS, *Payne* — amends the Election Code to require voters to produce a prescribed photo identification; to require registration officers to provide each voter with a copy of the registration, containing a number traceable to the registration officer; to require third-party registration agents to register with the Secretary of State; to allow absentee ballots to be electronically transmitted; and to allow candidates or their representatives to observe the ballot-counting process in a precinct and the county and state canvass of returns. (May affect PEC and local school board elections) (Succeeding entries: H 18)
- H 330a EXPAND EDUCATIONAL RETIREMENT BOARD, *Saavedra* — amends the Educational Retirement Act to expand membership of the Educational Retirement Board from seven to nine members, with the addition of an additional member appointed by the Governor and one member appointed by the University Presidents' Council; requires that vacancies be filled by the appointing authority or the association that elected the member; and requires training in fiduciary responsibility during the first year of each new member's term. [Similar to S 194a]
- H 333 EXEMPT SMALL SCHOOL PROJECTS FROM WAGE RATES, *Hall* — amends statute to exempt from the prevailing wage rates public school projects budgeted for less than \$250,000.
- H 344a GATHER NATIVE AMERICAN STUDENT STATISTICS, *Begaye* — enacts a new section of the Public School Code to require PED to gather and compile certain information on Native American students in public schools, Bureau of Indian Affairs schools, grant and contract schools, and mission schools operating on reservation land and to report the data through PED's Accountability Data System; and to require the Secretary of Public Education to report annually to the Legislative Indian Affairs Committee and to submit annual reports to the Navajo Nation Indian Education Department, to all school districts in which Native Americans comprise 30 percent or more of the student population, and to all other pueblo and tribal Indian education departments.
- H 350 VOTE TOTAL REPORTING REQUIREMENTS, *Cordova* — repeals the section of the Election Code that requires county clerks to report to the Secretary of State the separate vote totals for in-person, in-person absentee, and absentee voting for each precinct. (May affect local school boards elections and the PEC)

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- H 354a PROHIBIT SMOKING IN CERTAIN AREAS, *Park* — amends the Clean Indoor Air Act to prohibit smoking in any enclosed indoor workplace or enclosed indoor public place, including classrooms and school cafeterias; requires employers, including political subdivisions of the state, to adopt, implement, and post policies pursuant to the act; and imposes penalties for violations.
- CS/H 354a
- H 355 FALSE CLAIMS ACT, *Park* — enacts the False Claims Act to impose monetary penalties against anyone who makes a false claim against the state or any of its political subdivisions. (May affect public schools)
- H 356 EMPLOYEE LEAVE FOR CERTAIN CRIME VICTIMS, *Park* — enacts a new section of statute to require employers to provide paid or unpaid leave to an employee who is a crime victim to attend any judicial proceeding that relates to that crime. (May affect school districts and PED)
- CS/H 356
& 578
- H 357a LEAD-BASED PAINT MANAGEMENT ACT, *Park* — enacts the Lead-Based Paint Management Act, applicable to daycare centers, preschools, and kindergarten classrooms, among other facilities; requires the Environmental Improvement Board, among other duties, to adopt rules governing the training and certification of lead-based paint reduction contractors and inspectors; and provides a penalty for someone who performs lead-based paint services without certification or accreditation.
- H 361 THIRD-PARTY ELECTION REGISTRATION AGENTS, *Sandoval* — amends the Election Code to require third-party voter registration agents to register with the Secretary of State. (May affect campaigns for local school boards and the PEC)
- H 362 ELECTION CODE CLEANUP, *Sandoval* — makes numerous changes to the Election Code, affecting such matters as voter registration agents and officers, formation and designation of precincts, definitions of terms, and voter lists and voter files. (May affect candidates for local school boards and the PEC)
- *H 369a ELECTRONIC PROCUREMENT BID SUBMISSION, *Sandoval* — amends the Procurement Code to provide that, under certain circumstances, bids and proposals may be submitted electronically and to provide, under certain circumstances, for reverse auction procedures. (May affect public schools)
- H 379 EXPAND FAMILY DEVELOPMENT PROGRAM, *Miera* — appropriates \$300,000 from the General Fund to PED for FY 06 and subsequent fiscal years to increase the Family Development Program's statewide training and outreach coordinated by UNM by making the latest research accessible to low-income families and early childhood caregivers in urban and rural New Mexico. [Identical to S 253]
- H 387a FINANCIAL ADVISOR PROCUREMENT CODE EXEMPTION, *Varela* — amends the Procurement Code to exempt contracts for financial advisor services entered into by the Educational Retirement Board, the State Investment Officer, or the PERA Retirement Board. [Similar to S 61, Laws 2005, Chapter 318]
- H 391a PRESCRIPTION DRUG PURCHASE STANDARD COPAYMENT, *Trujillo* — amends the Health Care Purchasing Act to require standard copayments on prescription drug purchases and to permit differences in copayments to differentiate between generic drugs and brand-name drugs. (May affect public school employees) [Similar to S 23a]

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- H 396 ESPAÑOLA VALLEY MILITARY ACADEMY, *Salazar* — appropriates \$122,600 from the General Fund to PED for FY 06 to fund special programmatic needs of the Española Valley Military Academy (a charter school) to allow it to engage in coordinated activities with the New Mexico National Guard. [Similar to S 436a]
- H 397 AMERICAN INDIAN HEADSTART LITERACY INITIATIVE, *Salazar* — appropriates \$193,652 from the General Fund to the UNM Board of Regents for FY 06 to continue and expand a collaboration among UNM Native American Studies faculty, KNME-TV, CYFD, and other educational institutions in New Mexico to implement provisions of the Indian Education Act by continuing to design, develop, and implement culturally relevant tribal and urban Indian preschool curricula that foster English literacy and support the maintenance and development of native languages.
- H 416 SAN JUAN COUNTY YOUTH PROGRAM, *Begaye* — appropriates \$80,000 from the General Fund to the San Juan College Governing Board for FY 06 to continue a San Juan County program at an educational and recreational center to help underprivileged youth gain educational and moral values.
- H 427a STATEWIDE AFTER SCHOOL TUTORING PROGRAMS, *Marquardt* — appropriates \$6.3 million from the General Fund to PED for FY 06 to provide after-school tutoring programs for students in grades 1 through 6 in reading, language arts, mathematics, and other subjects determined by the school district.
- H 429 TEACHER PROFESSIONAL DEVELOPMENT, *King* — appropriates \$2.5 million from the General Fund to the Teacher Professional Development Fund for FY 05 and subsequent fiscal years to fund teacher professional development.
- H 435 PROHIBIT GENDER WAGE DISCRIMINATION, *Park* — prohibits wage discrimination based upon gender and provides legal recourse for those who have experienced wage discrimination. (May affect PED and public schools)
- *H 443 NEW MEXICO YOUTH DAY, *Ruiz* — appropriates \$25,000 from the General Fund to PED for FY 05 for the first annual New Mexico Youth Day, at West Mesa High School in Albuquerque.
- H 453 PROMOTE TOBACCO USE PREVENTION & CONTROL, *Beam* — appropriates \$3.0 million from the General Fund to the Department of Health for FY 06 to increase funding for the Tobacco Use Prevention and Control program. (May affect public schools)
- H 456 PUBLIC RECORD REPRODUCTION COST RECOVERY, *Irwin* — amends the Inspection of Public Records Act to limit the fees that may be charged for copying public records to the actual cost to the public body of reproducing the records. (May affect public schools) [Identical to S 641]
- H 464a MCKINLEY COUNTY SCHOOL TEACHER TRAINING, *Lundstrom* — appropriates \$250,000 from the General Fund to PED for FY 06 to contract with a program to train and employ, for at least a two-year commitment, recent college graduates as teachers in the Gallup-McKinley County Public Schools; requires PED and the program to ensure that the training leads to licensure as Level 1 teachers in New Mexico; and requires PED

and the program to evaluate the effectiveness of the training and employment of the recent college graduates and report to the LESC by December 2005, including recommendations regarding the potential for statewide implementation of the program. [Similar to S 484]

- H 465 ALBUQUERQUE SCIENCE & ENGINEERING FAIR, *Swisstack* — appropriates \$300,000 from the General Fund to the Local Government Division of DFA for FY 06 to provide a science and engineering fair in Albuquerque. (May affect public schools)
- H 471a CURFEW ENFORCEMENT ACT, *Park* — enacts the Curfew Enforcement Act to authorize municipalities and counties to enact curfew ordinances under certain conditions to protect children under age 16 from dangerous circumstances as a result of being without proper supervision from 12:00 a.m. to 5:00 a.m.; prescribes the questions that a law enforcement officer may ask a child; and provides a delayed repeal effective July 1, 2009. (May affect public schools) [Identical to S 645a]
- H 487 COMPUTERIZED SCHOOL LEARNING SYSTEM, *Lujan, B* — appropriates \$6.0 million from the General Fund to PED for FY 06 to continue funding for a computerized learning system that aligns public school curricula to the criterion-referenced tests, New Mexico content standards and benchmarks, current textbooks, and PED voluntary curriculum.
- H 499 CREATE CAPITAL OUTLAY DIVISION, *Lujan, B* — creates the Capital Outlay Division in DFA and requires it to prepare and maintain a four-year program of major state capital improvement projects, to maintain a central database, to work with other state agencies to coordinate capital projects, and to assist the Governor and the Legislature in setting priorities, among other duties. (May affect public schools)
- H 505 REVISE CRIMINAL SEXUAL CONTACT OF A MINOR, *Cheney* — amends statute to make criminal sexual contact of a minor by a licensed or unlicensed school employee, a school contractor, a school health service provider, or a school volunteer, a second, rather than third, degree crime.
- H 507a REVISE CHILD LABOR AGE REQUIREMENTS, *Swisstack* — amends child labor provisions in statute to restrict the hours and the occupations, with certain exceptions. (May affect public schools)
- H 508 CYFD EARLY CHILDHOOD PROGRAMS, *Gonzales* — appropriates a total of \$2.8 million from the General Fund to CYFD for FY 06 to support certain early childhood programs: AIM HIGH, technical assistance for licensing of registered family care home providers, and establishment of satellite training and technical assistance programs.
- H 512 SANTA FE SMALLER LEARNING COMMUNITIES PROJECT, *Trujillo* — appropriates \$150,000 from the General Fund to PED for FY 06 to continue support of the smaller learning communities pilot project at Santa Fe High School and Capital High School.
- H 513a FEE & TUITION WAIVER FOR CERTAIN CYFD CLIENTS, *Trujillo* — amends statute to waive tuition and fees at the state's public postsecondary educational institutions for clients of CYFD who meet certain criteria.

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- H 530 CREATE GOVERNOR’S HIV & AIDS POLICY COUNCIL, *Trujillo* — creates the Governor’s HIV and AIDS Policy Commission, whose members include the Secretary of Public Education or designee; and assigns duties to the commission, among them reviewing and making recommendations to the Department of Health regarding HIV and AIDS policies. [Identical to S 313, Laws 2005, Chapter 5]
- H 536a NEW MEXICO TELEHEALTH COMMISSION ACT, *Picraux* — enacts the New Mexico Telehealth Commission Act to encourage a single, coordinated statewide effort to create a telehealth system; and creates the New Mexico Telehealth Commission, one of whose members is a representative from PED. [Similar to S 473a, Laws 2005, Chapter 55]
- H 538 HISTORIC PRESERVATION EDUCATIONAL PROGRAMS, *Campos* — appropriates \$125,000 from the General Fund to the Historic Preservation Division of the Cultural Affairs Department for FY 06 and subsequent fiscal years to contract for the development of educational programs in historic preservation and regionalism. (May affect public schools) [Identical to S 18]
- H 540a EDUCATIONAL PROGRAMS, *Foley* — appropriates \$5.0 million from the General Fund to the Schools in Need of Improvement Fund for FY 06 and subsequent fiscal years for after-school programs, including tutoring students for whom English is a second language and tutoring students in public schools in need of improvement; and appropriates \$4.0 million from the General Fund to PED for FY 06 for music education program materials and equipment.
- H 543 NM HIGHLANDS TOTAL IMMERSION LANGUAGE PROGRAM, *Balderas* — appropriates \$250,000 from the General Fund to the NMHU Board of Regents for FY 06 and subsequent fiscal years for a pilot project to design and develop a total immersion English language program in Las Vegas, New Mexico and a total immersion Spanish language program in Chihuahua, Mexico. (May affect public schools) [Similar to S 567]
- H 544 LOTTERY SCHOLARSHIPS FOR MILITARY DEPENDENTS, *Taylor* — amends the lottery scholarship statutes to extend eligibility for the lottery scholarship to dependents of New Mexico residents who are paying New Mexico income taxes but who, because of service in the US armed forces, are stationed outside New Mexico at the time of completion of an equivalent high school curriculum.
- H 547 AUTOMATIC EXTERNAL DEFIBRILLATOR PROGRAMS, *Anderson* — appropriates \$250,000 from the General Fund to the Department of Health for FY 06 to provide grants to political subdivisions of the state and state agencies for automatic external defibrillator programs. (May affect public schools)
- H 548 CREATE EDUCATION STABILIZATION RESERVE FUND, *Taylor* — creates the Education Stabilization Reserve as a special account within the Appropriation Contingency Fund for the transfer of a portion of the increased distributions from the Permanent School Fund pursuant to the constitutional amendment that voters adopted in September 2003; and prescribes criteria for legislative appropriations from the reserve for educational reforms, beginning in FY 13.

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- H 549 AMERICORPS & VOLUNTEER PROGRAM SUPPORT, *Lujan,A* — appropriates a total of \$725,000 from the General Fund to CYFD for FY 06, with varying amounts allocated to several purposes: community volunteerism, scholarships for certain high school graduates, the Americorps program, and Americorps and Volunteers in Service to America placements throughout New Mexico.
- H 551 LOTTERY SCHOLARSHIPS FOR TRIBAL COLLEGES, *Begaye* — amends the lottery scholarship statutes to extend eligibility for lottery scholarships to students attending regionally accredited tribal colleges located in New Mexico.
- H 552 SCHOOL-BASED HEALTH CLINIC SUPPORT, *Begaye* — appropriates \$2.0 million from the General Fund to the Department of Health for FY 06 to support existing services in school-based health clinics statewide. [Identical to S 761]
- H 554 CYFD EARLY CHILDHOOD PROGRAM TEACHER TRAINING, *Beam* — appropriates \$500,000 from the General Fund to CYFD for FY 06 to support professionally trained early childhood teachers and early childhood programs to ensure that children are ready for school when they enter kindergarten.
- *H 557 NMSU SPACE GRANT CONSORTIUM, *Nuñez* — appropriates \$475,000 from the General Fund to the NMSU Board of Regents for FY 05 and subsequent fiscal years for the New Mexico Space Grant Consortium. (May affect public schools) [Similar to *S 382a]
- H 559 ELECTION CANDIDATE PERMANENT ADDRESSES, *Lundstrom* — amends the Election Code to prescribe new rules for determining the place of residence of a candidate running for public office or of an officeholder. (May affect local school board and PEC elections)
- H 566 JUNIOR RESERVE OFFICER TRAINING CURRICULUM, *Martinez* — amends the Public School Code to allow successful completion of Junior ROTC to satisfy the physical education requirement for high school graduation.
- H 567 DEVELOP CITIZEN PREPARATION CURRICULA, *Stewart* — appropriates \$100,000 from the General Fund to PED for FY 06 to develop curricula relating to citizen participation in government and teacher training and providing assistance to students participating in programs that develop awareness of the United States constitution.
- H 578 EMPLOYEE LEAVE FOR CERTAIN CRIME VICTIMS, *Beam* — enacts a new section of the Victims of Crime Act to require certain employers to allow an employee who is a victim of crime to leave work to exercise the employee's right to attend proceedings that the victim has a right to attend; and provides that the employee may elect to use or the employer may require the employee to use the employee's annual, vacation, personal, or sick leave. (May affect public schools and PED) (Succeeding entries: H 356)
- H 579 SANTA FE EDUCATION PLAN PROCESS AUTOMATION, *Wirth* — appropriates \$30,000 from the General Fund to PED for FY 06 for a Santa Fe Public Schools project to automate the Individualized Education Plan process.

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- H 596 TAOS YOUTH DEVELOPMENT PROGRAMS, *Gonzales* — appropriates \$100,000 from the General Fund to the Local Government Division of DFA to distribute to Taos County for FY 06 to contract with a nonprofit entity to provide opportunities for Taos County youth to overcome personal and societal problems by learning entrepreneurial skills, studying worldwide economic development, and participating in design and construction training.
- H 598 COMPETITIVE FOOD IN SCHOOLS ACT, *Gonzales* — enacts the Competitive Foods in Schools Act; requires PED to approve a list of competitive foods and beverages for public schools and charter schools based on compliance with the act; imposes restrictions on commercial advertising of foods and beverages; encourages school personnel to eat foods and beverages that comply with the act when eating with their students at school; and establishes nutritional standards and portion sizes for competitive foods.
- H 611 SANTA FE SCHOOL SCIENCE INSTRUCTION, *Trujillo* — appropriates \$20,000 from the General Fund to PED for FY 06 to contract with a nonprofit organization dedicated to improving science education in Santa Fe to provide teacher training and in-class mentors and to integrate hands-on science techniques into standard curricula.
- *H 612 SANTA FE SCHOOL NATIONAL DEFENSE CADET CORPS, *Trujillo* — appropriates \$211,700 from the General Fund to PED for FY 05 and FY 06 to establish a National Defense Cadet Corps (NDCC) at Capital High School in Santa Fe, contingent upon the high school receiving a “successful” evaluation by the NDCC on the school’s readiness to initiate such a program.
- H 615 RE:LEARNING PROGRAM, *Stapleton* — appropriates \$1.3 million from the General Fund to the ENMU Board of Regents for FY 06 to continue the Re:Learning program to support school improvement in all grades of public schools statewide. [Identical to S 316]
- H 620 LOTTERY SCHOLARSHIPS FOR TRIBAL COLLEGES, *Salazar* — amends the lottery tuition scholarship statutes to extend eligibility to students attending regionally accredited private nonprofit postsecondary institutions and accredited Native American postsecondary educational institutions; requires CHE to promulgate rules regarding attendance at these institutions; and requires CHE to establish a fixed amount for lottery tuition scholarships for all postsecondary educational institutions.
- H 621 MIDDLE SCHOOL TEACHER SCIENCE & MATH TRAINING, *Salazar* — appropriates \$260,000 from the General Fund to the NNMCC Board of Regents for FY 06 to provide a program to train middle school teachers to improve their skills, technical knowledge, and teaching techniques in science, math, and technology so that middle school teachers are better prepared to teach students in those subjects. [Identical to S 519]
- H 625 UNM NEURODEVELOPMENTAL DIAGNOSTIC CLINIC, *King* — appropriates \$500,000 from the General Fund to the UNM Board of Regents for FY 06 for neurodevelopmental interdisciplinary diagnostic clinic programs, including diagnostic evaluations for children with autism spectrum disorder and telemedicine consultation for autism spectrum disorders.

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- H 628 UNM LATIN AMERICAN OUTREACH PROGRAM, *Miera* — appropriates \$100,000 from the General Fund to the UNM Board of Regents for FY 06 for the Center for Latin American Resources and Outreach Program. (May affect public schools)
- H 631 PRIVATE GO BOND SALES TO NMFA, *Larrañaga* — amends statute to exclude the private sale of general obligation bonds by a qualified entity to the New Mexico Finance Authority. (May affect public schools) [Identical to S 655]
- H 633a CIMARRON ONLINE SCHOOL PILOT PROJECT, *Balderas* — creates the three-year Cimarron Online School Pilot Project to provide curriculum and coursework approved and developed by Cimarron Municipal Schools as online classes for home-schooled and nontraditional students in grades K through 12; and requires an evaluation and annual reports to the Legislature, PED, and the Governor.
- H 637a EXPAND PRIMARY CARE CAPITAL FUNDING ACT, *Picraux* — amends statute to add school-based health centers and telehealth sites as eligible entities under the Primary Care Capital Funding Act. [Identical to S 456a, Laws 2005, Chapter 54]
- H 644 DECREASE NATURAL GAS SEVERANCE TAX RATE, *Foley* — amends statute to decrease the Emergency School Tax rate on natural gas from 4.0 percent of taxable value to 3.15 percent, equal to the tax rate on crude oil.
- H 650 TOBACCO SETTLEMENT REVENUE DISTRIBUTIONS, *Beam* — appropriates \$8.0 million from the tobacco settlement revenues in the General Fund to the Department of Health for FY 06 for comprehensive tobacco use prevention and cessation programs, including school-based youth and parent programs.
- H 665 SCHOOL BOARD MEMBER HEALTH INSURANCE BENEFITS, *Vigil* — amends the Public School Code to allow members of local school boards to participate in the Public Schools Insurance Authority's group insurance or alternative health plan benefit options if they pay 100 percent of the costs of the insurance.
- H 666 BUSINESS TRAINING FOR SCHOOL PRINCIPALS, *Vigil* — amends the School Personnel Act to require principals and assistant principals to have training in business administration as required by the local superintendent and approved by PED.
- H 668a CHARTER SCHOOL EXTRACURRICULAR ACTIVITIES, *Vigil* — amends the Public School Finance Act to add home school and charter school activities to the list of itemized program units for computing program costs; adds a new section to the Public School Code to require the New Mexico Activities Association and the local school board to allow eligible home school students in grades 7 through 12 to participate in district extracurricular activities in the public school in the student's attendance zone; and adds a new section to the 1999 Charter Schools Act to require the New Mexico Activities Association and the local school board to allow eligible charter school students in grades 7 through 12 to participate in district extracurricular activities in a single public school in the student's attendance zone.
- H 670 BROWSER-BASED COMPUTERIZED LEARNING SYSTEM, *Vigil* — appropriates \$4.0 million from the General fund to PED for FY 06 to develop and implement a browser-based computerized learning system that aligns public schools' curricula to New Mexico content standards and benchmarks and current textbooks; and prescribes features and functions of the learning system. [Identical to S 889]
- H 671 SUPPORT PARENTAL INVOLVEMENT IN SCHOOLS, *Vigil* — appropriates

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\$250,000 from the General Fund to PED for FY 06 to train parents, teachers, administrators, and educational support staff in parental involvement strategies for public schools. [Identical to S 503]

- H 675 SOFT DRINK TAX ACT, *Sandoval* — enacts the Soft Drink Tax Act; imposes a prescribed rate of tax on soft drinks according to their form and volume; creates the Soft Drink Medicaid Fund and prescribes that 90 percent of the net receipts from the tax be distributed to that fund; and prescribes that 2.0 percent of the net tax receipts be distributed to PED for public school wellness education initiatives and that 1.0 percent be distributed to PED for grants to public schools that do not permit the sale of soft drinks to students on campus. [Identical to S 283]
- H 676 ALBUQUERQUE ART-BASED AT-RISK MENTORING, *Stewart* — appropriates \$100,000 from the General Fund to PED for FY 06 to provide art-based mentoring services to students at risk of dropping out of school within the Albuquerque Public Schools.
- H 677 CONSUMER INFO PROTECTION ACT, *Stewart* — enacts the Consumer Information Protection Act to prohibit public contracts with persons who perform work outside the United States involving private information or information essential to homeland security; and to prohibit discrimination against consumers who do not consent for their personal information to be sent to a site outside the United States. (May affect public schools)
- H 681 PERMIT FOR SALE OF FOOD IN PUBLIC SCHOOLS, *Salazar* — enacts a new
CS/H 681 section of statute to require permits issued by the Department of Health before anyone can offer food or drink for sale in a public school; prescribes a schedule of permit fees; creates the Student Wellness Fund for deposit of receipts from these fees; and provides exemptions under certain circumstances. [Similar to S 595]
- H 682 COLFAX WORKFORCE TRAINING PROGRAMS, *Balderas* — appropriates \$225,000 from the General Fund to the Local Government Division of DFA for FY 06 and subsequent fiscal years for development, staffing, and related activities in conjunction with a postsecondary education and workforce training program for Colfax County.
- H 686 PROVISIONAL BALLOT PROCESSING REQUIREMENTS, *Garcia, MH* — amends the Election Code to require additional procedures for the processing and treatment of provisional ballots and to require additional reporting by the precinct board after the polls close. (May affect local school board and PEC elections)
- H 690 OTERO COUNTY ARTS EDUCATION PROGRAM, *Marquardt* — appropriates \$35,000 from the General Fund to the Local Government Division of DFA for FY 06 for a visual and performing arts education program for primary, secondary, and postsecondary students in Otero County.
- H 700 MULTICULTURAL ARTS & EDUCATION PROGRAM, *Miera* — appropriates \$50,000 from the General Fund to PED for FY 06 for a model multicultural arts and education program with a formal curriculum-integrating academic, work, and artistic skills in English and Spanish.

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- H 701 SAME DAY VOTER REGISTRATION, *Trujillo* — amends the Election Code to allow a qualified elector to register to vote on election day at the polling place for the precinct where the elector resides and to vote that same day. (May affect local school board and PEC elections) [Identical to S 621]
- H 703 DEFINE RURAL SCHOOL DISTRICT, *Begaye* — adds a new section to the
CS/H 703 Public School Code, which for federal funding purposes: defines a rural school district as “a school district with a membership of 1,000 or fewer students or a school district located in a county with a population density that is at or below 30 persons per square mile and whose largest municipality has a population of fewer than 30 thousand as of the last federal decennial census”; requires the PED Rural Education Division to assist rural school districts to receive all of the federal funds available to them; and specifies that an individual public school, including a charter school, that has 1,000 or fewer students and is located on tribal land is also entitled to assistance from the Rural Education Division.
- H 705 LEGISLATIVE REVIEW OF STATE RULES, *Taylor* — amends statute to require an agency other than those agencies subject to the Uniform Licensing Act proposing to promulgate a rule to file the proposed rule with the Director of the Legislative Council Service prior to any public hearing otherwise required and to require a public hearing before the appropriate legislative committee if a legislator so requests. [Similar to S 711]
- H 708 PENALTIES FOR OPEN MEETING ACT VIOLATIONS, *Cervantes* — amends the Open Meetings Act to increase criminal penalties for violations and to provide for civil penalties. (May affect local school boards and the PEC)
- H 714 EXPAND LOTTERY SCHOLARSHIP ELIGIBILITY, *Youngberg* — amends the lottery scholarship statutes to extend eligibility to residents who graduate from a high school outside New Mexico and who enroll in a public postsecondary institution within two years of graduation.
- *H 718 PUBLIC EMPLOYEE BENEFIT INTERIM COMMITTEE, *Lujan,B* — creates the Employee Benefits Oversight Committee as a joint interim legislative committee; requires the committee to consider the public interest in ensuring that the retirement programs of the PERA and ERB, as well as the benefit programs administered by the Retiree Health Care Authority, the Public Schools Insurance Authority, and the State Group Benefits Program, are financially sound; requires the committee to examine statutes, constitutional provisions, regulations, and court decisions affecting these retirement and benefit plans; requires the committee to report findings and recommendations to the Legislature; and appropriates \$100,000 from legislative cash balances to the Legislative Council Service for FY 05 and FY 06 to support the work of the committee.
- H 721a NUTRITION COUNCIL ACT, *Harrison* — enacts the Nutrition Council Act to improve the quality of food grown in, produced in, or imported into New Mexico or exported from New Mexico and to educate New Mexico citizens in good nutritional choices; creates the Nutrition Council, administratively attached to the Department of Health; prescribes duties for the council, among them: through PED, to advise public school districts on the development of grade-specific nutrition courses; to develop a questionnaire sent to selected students in New Mexico to build a statewide nutrition database; and to review the quality of the public school lunch programs and recommend improvements to the Secretary of Public Education.

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- *H 724 TAOS SUMMERTIME ACADEMIC PROGRAM, *Gonzales* — appropriates \$75,000 from the General Fund to PED for FY 05 and FY 06 for Taos Municipal Schools to operate its Summerbridge Academy, an experimental summertime academic program that is designed to help students prepare for the next school year and that will serve as a demonstration project for other school districts. [Identical to *S 773]
- H 728 HUMAN RIGHTS SCHOOL EDUCATION PROGRAM, *Picraux* — appropriates \$150,000 from the General Fund to the Local Government Division of DFA for FY 06 for the Bernalillo County Sheriff's Department to contract with a program already developed and successfully field-tested to present human rights education programs in the public schools.
- H 732 ABSENT VOTER PRECINCT BOARD MEMBERSHIP, *Rodella* — adds a new section to the Absent Voter Precinct Act to prohibit the spouse, parent, child, brother, or sister of the county clerk from serving on an absent voter precinct board. (May affect school board and PEC elections)
- H 735 ABSENTEE BALLOT ACCEPTANCE & COUNTING, *Picraux* — amends the Election Code to extend the deadline for the county clerk's acceptance of mailed absentee ballots and to require the county canvass board to count late absentee ballots before certifying the results of an election. (May affect school board and PEC elections)
- *H 741a STUDY NORTHERN NM GRADUATE STUDIES CENTER, *Lujan,B* — appropriates \$100,000 from the General Fund to the NNMCC Board of Regents for FY 05 and FY 06 to conduct a study of the efficacy of creating a center for graduate studies and research in northern New Mexico, in which universities offer graduate-level courses leading to master's and doctoral degrees.
- H 746 HEALTH SECURITY ACT, *Varela* — enacts the Health Security Act; establishes procedures to contain health care costs; creates the Health Care Commission; provides for health care delivery regions and regional councils; and directs and authorizes the development of a state health care plan. (May affect public schools) [Identical to S 636]
- H 753 PUBLIC SCHOOL MEDIA LITERACY PROGRAM, *Stewart* — appropriates \$100,000 from the General Fund to the Department of Health for FY 06 to develop a media literacy educational curriculum on the relationship between childhood obesity and advertising for use in kindergarten through high school.
- H 756 BILINGUAL EDUCATION POSITION IN COACHING, *Vigil* — appropriates \$75,000 from the General Fund to PED for FY 06 to support the services of community experts, including equipment, to provide students at West Las Vegas High School with a knowledge of language variations and the relationships among language, culture, and the community.
- CS/H 756
- H 761 PRE-COLLEGE MATH & SCIENCE SKILL IMPROVEMENT, *Garcia,MH* — appropriates \$200,000 from the General Fund to the NMSU Board of Regents for FY 06 to improve math and science skills of economically disadvantaged pre-college students for entry into science and engineering majors. [Identical to S 615]

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- H 769 GRANTS TEACHER EDUCATION DEVELOPMENT CENTER, *Martinez* — appropriates \$50,000 from the General Fund to the NMSU Board of Regents for FY 06 to increase the number of students in the teacher education center in Grants and to increase the number of teachers who complete the program.
- H 771a ADVANCED PLACEMENT NEW MEXICO PROGRAM, *Miera* — appropriates \$350,000 from the General Fund to the NMHU Board of Regents for FY 06 for the Advanced Placement (AP) program for professional development for teachers of AP and pre-AP in grades 6 through 12. [Similar to S 608]
- H 773 SANTA FE & BERNALILLO YOUTH & COMPUTER CLUBS, *Varela* — appropriates \$500,000 from the General Fund to the Local Government Division of DFA for FY 06 for Bernalillo and Santa Fe counties to provide staffing and operation expenses for computer clubhouses that give youth ages six to 18 access to computer technology and to mentors. [Identical to S 698]
- H 777 DECOUPLE LOTTERY SCHOLARSHIPS FROM TUITION, *Varela* — amends the lottery scholarship statutes to set flat scholarship award amounts for various postsecondary educational institutions in New Mexico. [Identical to S 651]
- H 778a COLLEGE AFFORDABILITY ACT, *Varela* — enacts the College Affordability Act to encourage New Mexico students with financial need to attend and complete college at public institutions in New Mexico; prescribes conditions for student eligibility and duties of the CHE; creates the College Affordability Endowment Fund and the College Affordability Scholarship Fund; appropriates \$10.0 million from the General Fund to the endowment fund for FY 05 and subsequent fiscal years; and appropriates \$15.0 million from the General Fund to the scholarship fund for FY 05 and FY 06. [Similar to S 669a, Laws 2005, Chapter 192]
- H 781 NEW MEXICO HISTORY SCHOLARS PROGRAM, *Wirth* — appropriates \$75,000 from the General Fund to the State Commission of Public Records for FY 06 for the Office of the State Historian's New Mexico History Scholars Program for fellowships and for the implementation of a lecture program. (May affect public schools)
- H 789 NEW MEXICO GOLDEN APPLE PROGRAM, *King* — appropriates \$250,000 from the General Fund to PED for FY 06 for the Golden Apple program. [Identical to S 616]
- H 791 SCHOOL LIABILITY FOR AFTER-HOURS USE, *Gutierrez* — amends statute to
CS/H 791 allow an exception to the general rule that public funds may be expended only to insure public employees by allowing school districts to pay for general liability coverage for after-hours community use of district facilities and to limit the general liability coverage for such use to \$1.0 million per event; and adds a new section to the Public School Code to require a school district with enrollment over 60,000 to provide liability coverage for public schools open after hours for community use of facilities, again with a limit of \$1.0 million per event.
- H 794 ELECTRONIC SIGNATURE FOR CAMPAIGN REPORTS, *Cordova* — amends the Campaign Reporting Act to authorize the use of an electronic signature to authenticate electronically filed campaign reports. (May affect PEC elections)

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- H 795a UNM DISTANCE-LEARNING MATH-SCIENCE CURRICULUM, *Stapleton* — appropriates \$100,000 from the General Fund to the UNM Board of Regents for the Charlie Morrissey Research Hall for FY 06 to provide a distance-learning, web-based math-science academic curriculum that meets prescribed criteria.
- H 796 UNM AFRICAN AMERICAN STAY-IN-SCHOOL PROGRAM, *Stapleton* — appropriates \$150,000 from the General Fund to the UNM Board of Regents for FY 06 for the African American Student Services Department’s stay-in-school program.
- H 801a HEALTH FACILITY LICENSING REQUIREMENTS, *Campos* — amends the Public Health Act to impose intermediate sanctions on health facilities and to change licensure requirements. (May affect school-based health centers)
- H 808 EXPAND DRUG-FREE SCHOOL ZONE DEFINITION, *Garcia,MP* — amends the Controlled Substances Act to expand the definition of the term “drug-free school zone” to include a parochial school, private school, or charter school.
- H 810 NORTHERN NM SUMMER ENRICHMENT PROGRAMS, *Salazar* — appropriates \$23,000 from the General Fund to the Local Government Division of DFA for FY 06 to contract for summer enrichment programming for youth in the communities of Truchas, Ojo Sarco, and Cordova. (May affect public schools)
- H 811 PUBLIC SCHOOL CONSTRUCTION GROSS RECEIPTS, *Garcia,MH* — adds a new section to the Gross Receipts and Compensating Tax Act to allow a gross receipts tax deduction for receipts from providing construction services to a local school district or the Public School Facilities Authority for the construction of public school facilities.
- H 812a RETIREE HEALTH CARE FUND ACCOUNTABILITY, *Lujan,B* — amends statute to establish certain conditions for disbursements from the Retiree Health Care Fund and to require the Retiree Health Care Board to seek investment advice from certain state agencies. (May affect public schools)
- H 818 SCHOOL BUS CONTRACTORS AS SCHOOL EMPLOYEES, *Gonzales* — adds a new section to the School Personnel Act to make employees of school bus contractors employees of the school district for salary and benefit purposes; requires school districts to pay the employer’s share of the school bus contractor employee’s benefits; and appropriates approximately \$13.9 million from the General Fund to PED in FY 06 to cover school districts’ employer share of employee benefits for school bus contractor employees.
- H 831 NEW MEXICO STATEHOOD CENTENNIAL PLANNING, *Wirth* — appropriates \$90,000 from the General Fund to the Historic Preservation Division of the Cultural Affairs Department for FY 06 and subsequent fiscal years to research, design, and create a statewide master plan for commemorating the centennial of New Mexico’s statehood. (May affect public schools)
- H 837 BERNALILLO AFTER SCHOOL & SUMMER PROGRAMS, *Zanetti* — appropriates \$500,000 from the General Fund to the Local Government Division of DFA for FY 06 for Bernalillo County programs for after-school instructional reading and math remedial or enrichment programs and for the summer “bridge” program for students who need additional instruction in reading and math.

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- H 839 INDIAN EDUCATION ADVISORY COUNCIL MEMBERSHIP, *Zanetti* — amends the Indian Education Act to increase the membership of the Indian Education Advisory Council from 14 to 16 by adding one representative from the Pueblo of Zuni and another from the Pueblo of Laguna.
- H 847 REVISE MILEAGE REIMBURSEMENT RATES, *Foley* — amends the Per Diem and Mileage Act to set the reimbursement rate at the Internal Revenue Service standard mileage rate. (May affect public schools and PED)
- H 849a LEGAL NOTICE & ADVERTISEMENT STATUTORY RATE, *Lujan,B* — amends statute to prescribe the rates for legal notices or advertisements published in newspapers and to provide discounts under certain conditions; and requires certain efforts and reports by the Secretary of General Services. (May affect public schools and PED)
- H 853 SCIENTIFIC RESEARCH READING PROGRAM MATERIALS, *Stewart* — adds a new section to the Instructional Material Law to create the Reading Materials Fund, to be administered by PED and to be used to purchase scientific research-based reading materials for certain reading programs in school districts; and appropriates \$5.0 million from the General Fund to the Reading Materials Fund for FY 05 and subsequent fiscal years.
- H 854 SCHOOL SIZE ADJUSTMENT PROGRAM UNITS, *Stewart* — amends the Public School Finance Act to allow small alternative and vocational schools to receive size adjustment program units.
- H 855 LOCAL OPERATIONAL SCHOOL LEVY ACT, *Stewart* — enacts the Local Operational School Levy Act to allow a local school board to adopt a resolution authorizing, for school district operational purposes and subject to voter approval, the imposition of a property tax on the taxable value of property in the school district; and creates the Local Operational School Fund in the State Treasury. (Affects the Public School Funding Formula)
- H 856a JEMEZ VALLEY TEACHER DEVELOPMENT, *Wallace* — appropriates \$75,000 from the General Fund to PED for FY 06 to improve student achievement by providing funding to the Jemez Valley Public Schools to develop and implement multicultural literacy strategies.
- H 857 PROCUREMENT CODE SUBCONTRACTOR BONDING, *Vigil* — enacts a new section of the Procurement Code to require a subcontractor to provide a performance and payment bond on a public works building project of \$50,000 or more. (May affect public schools) [Identical to S 814, Laws 2005, Chapter 99]
- H 861 NEW MEXICO HISTORY WEB SITE, *Lujan,A* — appropriates \$200,000 from the General Fund to the State Commission of Public Records for FY 06 for the State Historian's New Mexico history web site project to enhance the content development for the existing web site. (May affect public schools) [Identical to S 598]
- *H 862 YIELD CONTROL NET NEW VALUE SCOPE, *Balderas* — amends statute to include property annexed into a government unit as net new value for yield control purposes. (May affect public schools)

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- H 863 NATIVE AMERICAN YOUTH SPORT & CULTURE PROGRAM, *Begaye* — appropriates \$150,000 from the General Fund to the Indian Affairs Department for FY 05 and FY 06 to fund a sports and culture program for Native American youth participating in North American indigenous games that promote cultural heritage and education. (May affect public schools)
- H 882 SANTO DOMINGO PUEBLO MASTER EDUCATION PLAN, *Harrison* — appropriates \$200,000 from the General Fund to the Indian Affairs Department for FY 06 to develop a comprehensive master education plan for the students of the Pueblo of Santo Domingo.
- H 892a CREATE NEXT GENERATION COUNCIL & FUND, *King* — amends the Children’s Trust Fund Act to create the Next Generation Council and the Next Generation Fund to support programs approved by the Children’s Trust Fund Board to provide positive child and youth development activities, among other purposes. (May affect public schools) [Similar to S 614a, Laws 2005, Chapter 65]
- H 899 ELEMENTARY SCHOOL HEALTH EDUCATION, *Harrison* — appropriates \$100,000 from the General Fund to PED for FY 06 to support the development and implementation of a comprehensive health education program for elementary school children.
- H 900 NM HISTORY PUBLICATION SERIES, *Lujan,B* — appropriates \$210,000 from the General Fund to the State Commission of Public Records for FY 06 for the State Historian’s New Mexico history publications series. (May affect public schools) [Identical to S 607]
- H 906a USE OF PROPERTY FOR MAKING METHAMPHETAMINE, *Cervantes* — adds a new section to the Controlled Substances Act to prohibit the use of property to manufacture methamphetamine; and provides that a person who violates this law within a drug-free school zone is guilty of a third degree felony.
- H 910 CHARTER SCHOOLS INDEPENDENT OF DISTRICTS, *Hall* — amends the Public School Code to require each charter school to be its own board of finance; to allow dual chartering authority (local school boards and PED); to eliminate conversion charter schools after June 30, 2005 except for those created pursuant to Section 22-2C-7 NMSA 1978; to require each charter school to comply with all applicable state and federal laws and rules related to special education; to implement and clarify requirements for charter school facilities; to provide for appeals to PED and district court; to prohibit nepotism in charter schools; to limit the number of start-up charter schools; and to allow PED to use 3.0 percent of a charter school’s program cost, among other amendments. [Similar to S 808 & S 1007]
- H 912 PROHIBIT STUDENT USE OF STEROIDS, *Gutierrez* — amends the Public School Code to require each school district, beginning with school year 2005-2006, to adopt a policy prohibiting the use of anabolic steroids by high school students and providing for random testing for steroids among high school students participating in interscholastic athletics governed by the New Mexico Activities Association; and appropriates \$300,000 from the General Fund to PED for FY 06 to pay for administrative and testing costs.

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- H 914 SCHOOL EMPLOYEE TERMINATION PROCESS, *Stewart* — amends the School Personnel Act to clarify the process for termination and discharge of school employees.
- H 916 MIDDLE & HIGH SCHOOL SUPERCOMPUTER TRAINING, *Lujan,B* — appropriates \$160,000 from the General Fund to the New Mexico Tech Board of Regents for FY 06 for a statewide program that trains middle and high school students on the use of supercomputers.
- H 920 NM REGIONAL EDUCATION APPLICANT PROGRAM, *Williams* — appropriates \$200,000 from the General Fund to PED for FY 06 and FY 07 to develop and improve a regional education applicant program connecting education staff members with job vacancies. [Identical to S 869]
- H 922a WEST LAS VEGAS SCHOOLS MATH & SCIENCE, *Vigil* — appropriates \$20,000 from the General Fund to the NNMCC Board of Regents for FY 06 to train middle school teachers in West Las Vegas Public Schools in science, math, and technology. [Similar to S 924]
- H 923 ADDITIONAL PROGRAM UNITS FOR CERTAIN STUDENTS, *Vigil* — amends the Public School Finance Act to add home school and charter school activities to the list of itemized program units for computing program costs; adds a new section to the Public School Code to require the New Mexico Activities Association and the local school board to allow eligible home school students in grades 7 through 12 to participate in district extracurricular activities in the public school in the student's attendance zone; and adds a new section to the 1999 Charter Schools Act to require the New Mexico Activities Association and the local school board to allow eligible charter school students in grades 7 through 12 to participate in district extracurricular activities in a single public school in the student's attendance zone. [Similar to S 789a, Laws 2005, Chapter 97]
- H 925 LIMIT FINE ARTS EDUCATION COST DIFFERENTIAL, *Vigil* — amends the Public School Finance Act to limit the cost differential factor for fine arts education to 0.0332 instead of the 0.05 scheduled to be implemented in FY 06.
- H 931 ENMU MATHEMATICAL EDUCATIONAL SPECIALIST, *Campos* — appropriates \$65,000 from the General Fund to the ENMU Board of Regents for FY 06 to establish and implement a mathematical educational specialist program.
- H 932 TECHNOLOGY ASSISTANCE LOAN PROGRAM, *Taylor* — appropriates \$274,000 from the General Fund to PED for FY 06 for the technology assistance program of the Vocational Rehabilitation Division to administer a statewide low-interest or no-interest loan program for persons with disabilities. [Similar to S 816]
- H 933 POJOAQUE SCHOOLS TEACHER DEVELOPMENT, *Lujan,B* — appropriates
CS/H 933 \$75,000 from the General Fund to PED for FY 06 to provide training for Pojoaque Valley Public Schools teachers in prevention and intervention strategies for substance abuse and child abuse.

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- H 936 NORTHWEST NEW MEXICO DIABETES EDUCATION, *Harrison* — appropriates \$200,000 from the General Fund to the Indian Affairs Department for FY 06 to implement an expanded diabetes education program in northwest New Mexico. (May affect public schools)
- H 937 SCHOOL BOARD TERMINATION & DISCHARGE HEARINGS, *Vigil*— amends the Public School Code to allow local school boards to hear appeals from the decision of the local superintendent to terminate or discharge a licensed school employee or terminate an unlicensed school employee.
- H 939a RESERVE & QUEMADO SCHOOL DISTRICT ACTIVITIES, *Tripp* — appropriates \$200,000 from the General Fund to PED for FY 06 for extracurricular activities in Reserve Independent Schools; and \$200,000 from the General Fund to PED for the same purpose in Quemado Independent Schools.
- H 940 STATE EMPLOYEE UNION MEMBER COST-OF-LIVING, *Lujan,A* — appropriates almost \$4.1 million from the General Fund to DFA for FY 06 to provide two COLA salary increases to all state employees who are members of the bargaining unit represented by the American Federation of State, County and Municipal Employees: the first increase effective July 1, 2005 and the second effective January 1, 2006. [Identical to S 878]
- H 959 COMMUNITY ACCESS TO MEDIA & INFO ACT, *Anderson* — enacts the Community Access to Media and Information Act to require that a franchise agreement between a political subdivision of the state and a service provider reserve a certain portion of the bandwidth or channels for public use. (May affect public schools) [Identical to S 491]
- H 964 NATIONAL POETRY SLAM IN ALBUQUERQUE, *Stewart* — appropriates \$30,000 from the General Fund to the Cultural Affairs Department for FY 06 to help the city of Albuquerque sponsor a national poetry slam. (May affect public schools)
- H 965 STATE HIGH SCHOOL BASKETBALL TOURNAMENT COSTS, *Lujan,B* — appropriates \$100,000 from the General Fund to PED for FY 06 to pay for costs involved with the annual state high school basketball tournament.
- H 972 AUTISM SERVICES & TRAINING, *Ezzell* — appropriates \$10,000 from the General Fund to CYFD for FY 06 to contract with a community-based organization in Dexter, New Mexico, to increase social interactions for children and young adults with autism spectrum disorders and to provide training for staff and caregivers of participating children.
- H 974 CHAVES COUNTY YOUTH LEADERSHIP MENTOR PROGRAM, *Gardner* — appropriates \$100,000 from the General Fund to the Local Government Division of DFA for FY 06 for operational and direct support for a youth leadership mentor program in Chaves County. (May affect public schools)
- H 978 TEACHER LICENSURE QUALIFICATION SUBSTITUTES, *Tripp* — amends the
CS/H 978 School Personnel Act to allow alternative Level 2 licensure for a person with a graduate degree and at least five years' postsecondary teaching experience who completes an

internship of at least one full school year and who demonstrates having met PED-approved competencies; and to allow Level 3-A or Level 3-B licensure for a person with a graduate degree and at least six years' experience teaching or administering at the postsecondary level who completes an internship of at least one full school year and who demonstrates having met the PED-approved competencies for a Level 3-A or Level 3-B license.

- H 982 NM FUTURE FARMERS OF AMERICA SCHOLARSHIPS, *Campos* — amends the lottery scholarship statutes to extend eligibility to full-time resident students who are officers of the New Mexico Future Farmers of America and who, within 460 days of graduating or completing a GED, enroll in a public postsecondary educational institution.
- H 983 TUITION CLASSIFICATION OF CERTAIN CITIZENS, *Campos* — adds a new section of statute to require that, for tuition purposes, non-United States citizens are classified as residents or nonresidents of New Mexico on the same basis as United States citizens.
- H 998 ATTORNEY GENERAL APPROVAL OF STATE CONTRACTS, *Saavedra* — amends the Procurement Code to require that contracts by a state agency in excess of \$200,000 be reviewed and approved by the Attorney General. (May affect PED)
- H 1017 SCHOOL ATHLETIC CHAMPIONSHIP LOCATIONS, *Foley* — adds a new section to the Public School Code to require PED to require the New Mexico Activities Association to solicit requests for proposals for sites for state championships or tournaments and to limit the number of times that a championship or tournament may be held at the same site.
- *H 1025 FIVE-YEAR LEVEL ONE TEACHER LICENSES, *Garcia,MP* — amends the School Personnel Act to extend the duration of a Level 1 teaching license from three years to five years.
- H 1039a FREE ADMISSION TO SCHOOL ATHLETIC EVENTS, *Foley* — creates the School Athletics Participation Pilot Project to determine if free admission to school athletic events will affect student and parent participation in school events and reduce juvenile crime rates; and provides that the pilot project is to be administered by PED with the cooperation of Roswell Independent Schools, CYFD, and the Children's Court in Chaves County.
- H 1044a AIR-CONDITIONED WHEELCHAIR LIFT SCHOOL BUSES, *Stewart* — enacts a new section of the Public School Code to require that new school buses with wheelchair lifts be air-conditioned.
- H 1052 GRANTS-CIBOLA COUNTY SATURDAY SCHOOL, *Martinez* — appropriates \$50,000 from the General Fund to PED for FY 06 to implement and operate a Saturday school in Grants-Cibola County Schools for students who are placed in detention or suspended for behavior that impedes the education of other students.

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- H 1060 AMY BIEHL SCHOOL RESTORATIVE JUSTICE PROGRAM, *Youngberg* — appropriates \$50,000 from the General Fund to PED for FY 06 for a restorative justice program at Amy Biehl Charter High School in Albuquerque.

- H 1063 OMNIBUS ELECTION REFORM, *Sandoval* — makes numerous changes to the Election Code, affecting, among other provisions, the early processing of absentee ballots, the filing dates for independent and write-in candidates, and the presentation of identification for in-person and absentee voting. (May affect local school board and PEC elections)

- H 1064 CONDUCT OF ELECTIONS, *Sandoval* — makes numerous changes to the Election Code, affecting, among other provisions, voter assistance with voting systems, registration procedures, and the general conduct of elections. (May affect local school board and PEC elections)

- H 1076 BANK PROPOSALS TO SCHOOL DISTRICTS, *Miera* — amends the Public School Finance Act to allow school districts, under certain conditions, to issue RFPs pursuant to the Procurement Code and to select at least two financial institutions within the district for interest-bearing deposits.

- *H 1077a SAFE ROUTES TO SCHOOL PROGRAM REQUIREMENTS, *Miera* — amends statute to transfer oversight of the Safe Routes to School Program from counties and municipalities to metropolitan and rural planning organizations.

- H 1079a LOS PUENTES SCHOOL BILINGUAL EDUCATION, *Miera* — appropriates \$150,000 from the General Fund to PED for FY 06 to fund a community-based multicultural career exploration initiative at Los Puentes Charter School.

- H 1081 PUBLIC SCHOOL USE OF APPROVED BUDGET CHARTS, *Miera* — amends the Public School Finance Act to require all public schools and school districts to use the PED-approved chart of accounts for accounting and budgeting; and requires certification of true reporting.

- H 1083 CAPITAL OUTLAY USE OF LOCAL & FEDERAL REVENUE, *Miera* — amends the Public School Finance Act to remove the requirement that school districts budget and expend 20 percent of their total revenue receipts for capital outlay, thereby allowing those funds to be used for any lawful operational purpose.

- H 1086 RAISE OIL SEVERANCE PRIVILEGE TAX, *Lujan,B* — increases the privilege tax imposed pursuant to the Oil and Gas Emergency School Tax Act on the severance of oil and other substances. (Succeeding entries: H 410, Laws 2005, Chapter 104)

- H 1093 HOME KINDERGARTEN PREP TAX CREDIT, *Zanetti* — adds a new section to the Income Tax Act to allow a credit of \$500 for certain taxpayers who provide pre-kindergarten training to prepare their children for kindergarten and who submit prescribed documentation about the training to PED and to the Taxation and Revenue Department.

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- H 1096 LEGAL REVIEW OF AUDITOR CONTRACTS, *Lujan,B* — enacts a new section of
*CS/H 1096 the Audit Act to exempt certain contracts entered into by the State Auditor from any requirement of legal review. (May affect PED and the LESC)
- H 1103 VOTING SYSTEM PURCHASE MORATORIUM, *Martinez* — enacts a
CS/H 1103a temporary provision in statute to place a moratorium on the purchase of voting systems that do not provide a voter verifiable and auditable paper trail; and to require the Legislative Council to ask the appropriate legislative interim committee to report to the Legislature on various aspects of voting systems by December 15, 2005, provided that the bill does not apply to voting systems purchased in accordance with federal law. (May affect local school board and PEC elections)
- H 1113 LEGISLATIVE CAPITAL FUNDS, *Hobbs* — authorizes the issuance of severance tax
*CS/H 1113 bonds for capital projects throughout New Mexico; authorizes up to \$65.0 million in severance tax bonds proceeds and earnings on investment to a nonreverting fund created for expenditure in FY 05 and subsequent years; and appropriates \$33.5 million from the General Fund to the Legislative Appropriation Capital Fund (nonreverting), appropriated to various agencies for FY 05 and subsequent fiscal years. (May affect public schools) [Identical to *S 1035]
- H 1128 STATE PENSION OBLIGATION BONDING, *Miera* — enacts the State Pension
*CS/H 1128 Obligation Bonding Act to authorize the issuance of state pension obligation tax revenue bonds for the funding and refunding of state unfunded accrued pension liability; and creates the State Pension Obligation Bond Retirement Fund and the State Pension Contribution Fund.

HOUSE JOINT RESOLUTIONS

- HJR 5 LIMIT STATE EXPENDITURES, CA, *Payne* — amends Article 4 of the state constitution to add a new section to limit the Legislature's ability to increase state expenditures and to provide refunds to the citizens of New Mexico for any state revenues collected in excess of state expenditure limits. (May affect public schools) [Identical to SJR 13]
- HJR 6 VOTER APPROVAL OF NEW TAXES, CA, *Payne* — amends Article 4, Section 1 of the state constitution to require voter approval of any laws that impose a new tax or that increase a tax rate. (May affect public schools)
- HJR 10 LIMIT STATE EXPENDITURES, CA, *Youngberg* — adds a new section to Article 4 of the state constitution to prohibit the Legislature from increasing state expenditures from the previous fiscal year, under certain conditions. (May affect public schools)
- HJR 11 REQUIRE VOTER IDENTIFICATION, CA, *Youngberg* — amends Article 7, Section 1 of the state constitution to require voters to present identification when voting. (May affect local school board and PEC elections)
- HJR 12 STATEWIDE MILLAGE RATE FOR SCHOOLS, CA, *Stewart* — amends Article 8, Section 2 of the state constitution to authorize an additional statewide millage rate that will be deposited in the state's Public School Fund.

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- HJR 13a PROPERTY TAX EXEMPTION FOR CERTAIN GROUPS, CA, *Stapleton* — amends Article 8 of the state constitution by adding a new section to exempt from taxation the property of fraternal beneficiary societies, orders, or associations that have been exempted from federal income tax; and to prohibit such groups from conducting gaming activities in New Mexico. (May affect public schools)
- HJR 15 PUBLIC MONEY FOR PRIVATE SCHOOL VOUCHERS, CA, *Foley* — amends Article 12, Section 3 of the state constitution to allow public money to be used for private school vouchers.

HOUSE JOINT MEMORIALS

- HJM 12 CONTINUE TASK FORCE TO END HUNGER EFFORTS, *Lujan,B* — requests that the New Mexico Task Force to End Hunger continue its work and draw upon the resources of certain state agencies, among them PED. [Similar to HJM 23 which passed]
- HJM 20 CREATE STATE INVESTMENT FUNDS TASK FORCE, *Varela* — requests that the Legislative Council create the State Investment Funds Task Force to continue the work of the State Permanent Fund Task Force. (May affect public schools) [Identical to SJM 13 which passed]
- HJM 22 AIDS & HIV SERVICES IMPROVEMENT STUDY, *Lujan,B* — requests that the Department of Health lead a study of HIV and AIDS services to coordinate funding and service delivery and eliminate duplication; and that participants in the study include PED and PED's Vocational Education Division. [Identical to SJM 21 which passed]
- HJM 24 PRECAUTIONARY PRINCIPLES IN STATE GOVERNMENT, *Lujan,A* — requests that the Department of Health establish an interagency precautionary principle task force to identify ways to implement the precautionary principle in New Mexico; and that the task force identify methods to implement the federal Environmental Protection Agency's program known as "tools for schools" to promote a safe environment for children in the public schools. [Identical to SJM 54]
- CS/HJM 24
- HJM 37 NM PARENT TEACHER ASSOCIATION, IN RECOGNITION, *Vigil* — recognizes and commends the New Mexico PTA on its 90th anniversary. (For the LESC)
- HJM 60 SCHOOL DISTRICT SUICIDE PREVENTION, *Vigil* — requests that PED, CHE, the Department of Health, and representatives of postsecondary educational institutions collaborate to address the issue of youth suicide by developing and providing training programs for teachers and students, developing a suicide prevention and response protocol, and establishing suicide prevention and response programs in all public schools and universities in New Mexico; and report progress no later than November 2005 to an appropriate interim committee of the Legislature. [Identical to SJM 61, which passed]
- HJM 64 LATE STATE PAYMENT OF UTILITY BILLS, *Rodella* — requests that the State Purchasing Agent evaluate the means of securing the 45-day period for state agencies and political subdivisions to pay utility invoices without incurring late payment charges.

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- HJM 90 STATE AGENCY RULE REVIEW INTERIM COMMITTEE, *Cheney* — requests that the Legislative Council create a permanent interim committee to review existing and proposed rules of state agencies to ensure that the rules comply with state law. (May affect PED)
- HJM 93 SCHOOL TRANSPORTATION FUNDS FOR BUS PASSES, *Vigil* — requests that PED study the feasibility and effect of using state school transportation distribution funds to provide city bus passes for students traveling between school zones.
- HJM 101 FETAL ALCOHOL SYNDROME AWARENESS, *Gutierrez* — requests that educational facilities and appropriate state agencies, including PED, promote the viewing of the film *Gary and the Angels* to encourage the prevention of fetal alcohol syndrome.
- HJM 104 STATE AGENCY CAPITAL OUTLAY MEETINGS, *Sandoval* — requests that the Legislative Council Service convene a working group of staff from agencies involved in the capital outlay process to discuss and seek to resolve technical issues of mutual concern; and requests that certain agencies participate in the working group, among them, the LFC, PED, and CHE.

HOUSE MEMORIALS

- HM 50 BAN JUNK FOOD FROM HOUSE OF REPRESENTATIVES, *Crook* — requests that the sale and consumption of junk food be banned in the Roundhouse and that those items be removed from vending machines and coffee shops so that the members of the House of Representatives can serve as positive role models for the youth of New Mexico; and imposes penalties for possession of unhealthy snack items.
- HM 61 SANTA FE CRIME VICTIM ASSISTANCE OFFICE, *Trujillo* — requests support for the joint efforts of Santa Fe County and the city of Santa Fe to create and manage a victims of crime assistance office, whose services will include educational programs for schools and community groups.
- HM 72 STUDY DEFINITION OF “RURAL SCHOOL,” *Begaye* — requests that the LESC study the definitions of “rural school” and “rural school district” to determine which districts and schools are eligible for assistance from PED’s Rural Education Division and which are eligible for federal funding; that the LESC forward its recommendations to the interim Indian Affairs Committee; and that legislation based on the recommendations be introduced during the 2006 legislative session.

SENATE BILLS

- S 4 ARTS EDUCATION FOR SCHOOLS AND TEACHERS, *Campos* — appropriates \$3.4 million from the General Fund to PED in FY 06, of which \$3.0 million is appropriated for implementation of arts education in public schools and \$400,000 is to fund professional development in arts education for teachers.
- S 5 GEOGRAPHY EDUCATION, *Campos* — appropriates \$500,000 from the General Fund to PED for FY 06 to contract for geography education in public schools.
- S 9 CAPITAL PROJECTS ACT, *Campos* — enacts the Capital Projects Act; provides procedures for evaluating and prioritizing capital outlay projects and creates the capital projects council to serve as a council of experts to evaluate and prioritize capital outlay projects more effectively.
- *S 10 SCHOOL HEALTH EDUCATION & NUTRITION STUDY, *Campos* — appropriates \$50,000 to PED from the General Fund for expenditures in FY 05 and FY 06 to create a School Health Education and Nutrition Study Committee to study how public schools can best provide improved nutrition and education for nutrition and physical activity.
- S 14 SHORT-TERM BONDS FOR SCHOOL DEFICIENCIES, *Campos* — enacts a temporary provision for short-term supplemental severance tax bonds in an amount not to exceed \$70.0 million for purposes of correcting deficiencies in public schools pursuant to the Public School Capital Outlay Act.
- S 18 HISTORIC PRESERVATION EDUCATIONAL PROGRAMS, *Garcia* — appropriates \$125,000 from the General Fund to the Historic Preservation Division of the Cultural Affairs Department for FY 06 and subsequent fiscal years to contract for the development of educational programs in historic preservation and regionalism. (May affect public schools) [Identical to H 538]
- S 20 ELECTED OFFICIAL DRUG TESTING ACT, *Komadina* — enacts the Elected Officials Drug Testing Act; requires all elected officials in New Mexico, from federal to local, to be randomly selected by the Secretary of State at least once a year for voluntary drug tests; requires the test results and any written explanations to be posted on the Secretary of State's webpage; and appropriates \$50,000 from the General Fund to the Secretary of State for FY 06 to pay the costs of the drug tests and operating expenses of the program. (May affect members of the PEC and local school boards)
- S 23a PRESCRIPTION DRUG PURCHASE STANDARD COPAYMENT, *Campos* — amends the Health Care Purchasing Act to require standard copayments on prescription drug purchases, to permit differences in copayments to differentiate between generic drugs and brand-name drugs, and to permit tiered copayments based on an individual's ability to pay. (May affect public school employees) [Similar to H 391a]
- S 27 KANW RADIO STATION FUNDING, *Campos* — appropriates \$150,000 from the General Fund to PED for FY 06 for operational funding of educational radio station KANW.

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- S 28 RETURN TO WORK FOR EDUCATIONAL RETIREES, *Campos* — amends statute to provide that certain educational retirees may begin employment at certain institutions at any time without suspending retirement benefits; and reconciles multiple amendments to the same section.
- S 32 REQUIRE FOURTH GRADE READING PROFICIENCY, *Carraro* — amends the Assessment and Accountability Act to require reading proficiency by the fourth grade; and appropriates \$10.0 million from the General Fund to PED for expenditure in FY 06 to fund reading enhancement in grades 1 through 3 in public schools.
- S 36 ALAMOGORDO PUBLIC SCHOOL READING PROGRAM, *Garcia* — appropriates \$100,000 from the General Fund to PED for FY 06 for audio stimulation reading programs in the Alamogordo Public Schools.
- S 37 TUITION SCHOLARSHIP ELIGIBILITY, *Carraro* — amends statute to make lottery tuition scholarships available to students who do not apply to state educational institutions immediately upon completion of a high school curriculum.
- S 40a REQUIRE VOTER IDENTIFICATION, *Duran* — amends the Election Code to require certain forms of voter identification and to require the county clerk to send a voter identification card to each registered voter, among other changes. (May affect local school board and PEC elections)
- S 41 ENLARGE ELECTION CANDIDATE FILING TIME FRAME, *Carraro* — amends statute to provide for a larger timeframe for filing as a candidate in primary and general elections, municipal elections, school district elections, and community college board elections.
- *S 55 SEX OFFENDER REGISTRATION REQUIREMENTS, *Carraro* — amends the Sex Offender Registration and Notification Act to require a sex offender visiting New Mexico for more than 24 hours to register with the sheriff of the county that the offender visits; expands the definition of sex offense to include aggravated indecent exposure and enticement of a child; requires registered sex offenders to provide additional personal information; and requires a renewed registration every 90 days, among other provisions. (May affect public schools)
- S 60 STANDARDS FOR INVESTMENT OF STATE FUNDS, *Carraro* — amends statute relating to public finance to remove investment limitations; and establishes standards for prudent investment of state funds, including ERB funds.
- S 70a REQUIRE SCHOOL USE OF STANDARD GRADING SYSTEM, *Beffort* —amends the Public School Code to require schools to use the standardized alphabetic or numeric grading system based on the 4.0 or 100 percent scale; without prohibiting “weighted” credits for honors and advanced placement.
- S 83 VOTER REGISTRATION CLOSING TIMES, *Duran* — amends the Election Code to clarify the time that voter registration closes. (May affect PEC elections and local school board elections)

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- S 88 STATEWIDE HOMELESS PROGRAMS, *Papen* — appropriates \$150,000 from the General Fund to the Human Services Department for FY 06 to expand access to programs and services for homeless persons statewide. (May affect public schools)
- S 90 CENTER FOR BORDER EDUCATIONAL LEADERSHIP, *Nava* — appropriates \$600,000 from the General Fund to the NMSU Board of Regents for FY 06 to support the Center for Border and Indigenous Educational Leadership. [Similar to H 157a]
- S 97 NMSU SCIENCE, MATH & AEROSPACE ACADEMY, *Nava* — appropriates \$175,000 from the General Fund to the NMSU Board of Regents for FY 06 to continue the Science, Engineering, Mathematics and Aerospace Academy at NMSU.
- S 98 STATEWIDE COMMUNITY SERVICE LEARNING PROGRAMS, *Nava* — appropriates \$250,000 from the General Fund to PED for FY 06 to support a regional center network throughout New Mexico to support teachers in incorporating community service learning into standards-based education.
- S 106 ELIMINATE STRAIGHT PARTY VOTES ON BALLOTS, *Komadina* — amends the Election Code to eliminate the option of a straight party vote. (May affect PEC elections)
- S 121 SECOND CHANCE FOR SOME LOTTERY SCHOLARSHIPS, *Garcia* — amends statute to extend eligibility for lottery tuition scholarships to full-time resident students whose GPA drops below 2.5 if those students stay in school for the subsequent semester at their own expense and bring their GPA up to 2.5 within that semester. (For the LESC)
- S 122 LOTTERY SCHOLARSHIP “STOP OUT” PERIOD, *Garcia* — extends eligibility for the lottery scholarship to full-time resident students who suspend work toward a baccalaureate degree for up to two consecutive semesters and return immediately while maintaining all other requirements for eligibility. (For the LESC)
- S 124 AUTISTIC STUDENT SCHOOL PERSONNEL DEVELOPMENT, *Nava* — appropriates \$200,000 from the General Fund to PED for FY 06 to provide professional development for public school personnel in programs for three- and four-year-old developmentally delayed students and students in kindergarten through grade 3 regarding the educational and related needs of students with autism spectrum disorder. (For the LESC)
- S 127 COLLEGE TUITION PAYMENT FOR CERTAIN STUDENTS, *Nava* — amends statute to require a school district to transfer to a two-year or four-year postsecondary institution the tuition and fees for any student concurrently enrolled in high school and a postsecondary institution, unless the school district and the postsecondary institution have agreed to waive or reduce tuition or fees. (For the LESC)
- S 130 FULL-TIME POST-SECONDARY STUDENTS, *Nava* — amends statute to require a two-year or four-year postsecondary institution that requires a student to enroll in a course at or through another postsecondary institution to count that course toward the student’s full-time enrollment status for eligibility for the lottery scholarship; and, if an institution denies a student’s eligibility for the lottery scholarship, provides a process for student appeals and reimbursement of costs incurred. (For the LESC)

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- *S 135 SCHOOL ADMINISTRATOR LEADERSHIP ACADEMY, *Sharer* — amends the School Personnel Act to require PED to institute a leadership academy for Level 3-A and Level 3-B licensees teaching or administering in public school districts, including charter schools; prescribes functions of the academy; and appropriates \$300,000 from the General Fund to PED for FY 05 and FY 06 to develop and conduct the academy.

- S 144a HOME SCHOOL INCOME TAX DEDUCTION, *Komadina* — adds a new section to the Income Tax Act to allow a deduction of up to \$3,500 for each dependent school-age person registered with PED as attending a home school, applicable to tax years beginning on or after January 1, 2005.

- S 146 TEACH LABOR HISTORY IN PUBLIC SCHOOLS, *Lopez* — amends the Public School Code to require that American history and government courses in elementary, middle, and high school include instruction in the history of organized labor and that high school counselors include discussion of approved apprentice training programs among options available to high school students when discussing post-graduation alternatives.

- S 153 PROCUREMENT OF LAWYER SERVICES, *Komadina* — enacts a new section of the Procurement Code affecting lawyer services to require sealed proposals under certain circumstances and to limit hourly fees. (May affect school districts)

- S 170 CREATE OFFICE OF STATE COMPTROLLER, *Altamirano* — creates the Office of the State Comptroller, with a comptroller appointed by the Governor with the advice and consent of the Senate; grants the Comptroller general oversight authority of the implementation of the Accountability in Government Act and several executive agencies, among them PED; requires the LFC to conduct performance audits pursuant to the Accountability in Government Act; requires agencies to cooperate with the Comptroller and the LFC; and appropriates \$750,000 from the General Fund to the Office of the State Comptroller for FY 06 to carry out the provisions of the act. [Identical to H 49]

- S 194a EXPAND EDUCATIONAL RETIREMENT BOARD, *Smith* — amends the Educational Retirement Act to expand membership of the Educational Retirement Board from seven to 11 members, with the addition of an additional member appointed by the Governor, one member appointed by the University Presidents' Council, one member with at least 10 years of investment or public finance experience appointed by the New Mexico Coalition of School Administrators, and one member appointed by the New Mexico Federation of Educational Employees; to provide that a vacancy be filled by the appointing authority or by election by the appropriate association, as applicable; and to require training on fiduciary responsibility during the first year of each new member's term. [Similar to H 330a]

- S 197 SCHOOL DRUG DEMAND REDUCTION PROGRAM, *Sanchez,B* — appropriates \$125,000 from the General Fund to the Department of Military Affairs for FY 06 to provide a drug demand reduction program through the Civil Air Patrol Cadet Program for at-risk middle and high school students.

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- S 205 LUNA VOCATIONAL-TECHNICAL INSTITUTE, *Campos* — appropriates \$2.0 million from the General Fund to PED for FY 06 to support the operation of Luna Vocational-Technical Institute.
- S 207 ATTORNEY GENERAL REVIEW OF CERTAIN CONTRACTS, *Griego* — enacts new sections of the Procurement Code dealing with information technology and software systems, review of certain contracts by the Attorney General, and warranties and holdback funds. (May affect PED and public school districts)
- S 211 BIENNIAL STATE BUDGETS, *Smith* — amends statute to change the state budget cycle from annual to biennial. [Identical to H 404a, which passed but was pocket veto]
- S 219 INDIAN EDUCATION ACT BILINGUAL EDUCATION, *Tsosie* — appropriates \$250,000 from the General Fund to PED for FY 06 and FY 07 for assessment of existing Native American bilingual language programs and establishment of a pilot program for training Native American teachers to generate instructional materials digitally; and specifies uses of the appropriation. [Identical to H 127]
- *S 238 STATEWIDE AGRICULTURAL EDUCATION PROGRAMS, *Campos* — appropriates \$537,100 from the General Fund to the NMSU Board of Regents for FY 05 and FY 06 to support the continuation of agricultural education programs statewide. [Similar to *H 186a]
- *S 247 SCHOOL PUBLIC WORKS CONSTRUCTION PROJECTS, *Lopez* — amends statute to require bidders for public works construction projects for school districts and school boards to submit proof with competitive qualifications-based proposals that the bidder and any subcontractors provide minimum wages and family health care and that they require drug and background checks of employees.
- S 253 STATEWIDE FAMILY DEVELOPMENT PROGRAM TRAINING, *Lopez* — appropriates \$300,000 from the General Fund to PED for FY 06 and subsequent fiscal years to increase the Family Development Program’s statewide training and outreach coordinated by UNM by making the latest research accessible to low-income families and early childhood caregivers in urban and rural New Mexico. [Identical to H 379]
- S 264 UNIFORM SCHOOL CURRICULA BY GRADE & SUBJECT, *Sanchez,B* — amends the Public School Code to require PED to institute uniform statewide school curricula by grade and by subject, beginning in school year 2006-2007.
- S 265 GOVERNMENT CONSTRUCTION MANAGEMENT CONTRACTS, *Komadina* — amends the Procurement Code to provide for a “construction manager at risk” to act as an agent of a state agency or local public body for construction management. (May affect public schools)
- S 274 CHARTER SCHOOL GROWTH PROGRAM UNITS, *Nava* — amends the Public School Finance Act to require a calculation of enrollment growth program units for charter schools separate from that of school districts and to require that enrollment growth program units generated by a charter school be paid directly to the charter school.

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- S 277 OFFICE OF PEACE ACT, *McSorley* — enacts the Office of Peace Act; creates the Office of Peace, administratively attached to DFA; provides for a Director of Peace, whose duties include applying the resources and skills of the office to public education, and assisting in policy development for school and gang violence, developing a peace education curriculum, cooperating with the Secretary of Public Education and school superintendents to develop curricula and supporting materials and make them available to school districts, and providing peace education grants; creates the Citizens Peace Advisory Council, one of whose members is a public school educator appointed by the Secretary of Public Education; and appropriates \$250,000 from the General Fund to the Office of Peace for FY 06 to implement the provisions of the act. [Similar to H 280a]
- S 278 TANF FUNDS FOR FAMILY FORMATION GOALS, *Boitano* — amends statute to require that no less than 10 percent of the annual federal block grant for the TANF program be used to fulfill the Family Formation Goals of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
- S 283 SOFT DRINK TAX ACT, *McSorley* — enacts the Soft Drink Tax Act; imposes a prescribed rate of tax on soft drinks according to their form and volume; creates the Soft Drink Medicaid Fund and prescribes that 90 percent of the net receipts from the tax be distributed to that fund; and prescribes that 2.0 percent of the net tax receipts be distributed to PED for public school wellness education initiatives and that 1.0 percent be distributed to PED for grants to public schools that do not permit the sale of soft drinks to students on campus. [Identical to H 675]
- *S 285a CREATE OFFICE OF WORKFORCE TRAINING, *Campos* — amends the duties of the State Workforce Development Board to include the establishment of the Coordination Oversight Committee, whose members include the Secretary of Public Education and whose duties include having the Secretary of Public Education, together with a CHE representative, propose plans for secondary education that support the strategic plan proposed by other cabinet secretaries; and creates the Office of Workforce Training and Development, administratively attached to the Governor, to administer the provisions of the Workforce Development Act, but not the Unemployment Compensation Program or certain other programs. [Similar to *H 98a, Laws 2005, Chapter 111]
- S 295 COMPETITIVE FOODS IN SCHOOLS ACT, *Feldman* — enacts the Competitive Foods in Schools Act; requires PED to approve a list of competitive foods and beverages for public schools and charter schools based on compliance with the act; imposes restrictions on commercial advertising of foods and beverages; requires school personnel to eat foods and beverages that comply with the act when eating with their students at school; and establishes nutritional standards and portion sizes for competitive foods.
- S 298 STRENGTHENING QUALITY IN SCHOOLS INITIATIVE, *Nava* — appropriates \$1.0 million from the General Fund to PED for FY 06 for the Strengthening Quality in Schools (SQS) initiative. [Identical to S 833]
- S 300 FIESTA EDUCATIVA PARENT CONFERENCE & OUTREACH, *Nava* — appropriates \$15,000 from the General Fund to PED for FY 06 for the Gadsden Independent Schools Fiesta Educativa Parent Conference and outreach activities.

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- S 302 STATEWIDE GANG & DRUG CONFERENCE, *Nava* — appropriates \$30,000 from the General Fund to PED for FY 06 for Gadsden Independent Schools to hold a statewide conference on gangs and drugs.
- S 304 REGIONAL EDUCATIONAL TECHNOLOGY ASSISTANCE, *Nava* — appropriates \$800,000 from the General Fund to the NMSU Board of Regents for FY 06 for the Regional Educational Technology Assistance (RETA) program.
- *S 305 CIVIC ENGAGEMENT EDUCATIONAL WEB SITES, *Nava* — appropriates \$300,000 from the General Fund to PED for FY 06 and subsequent fiscal years for continued development of the joint partnership project between NMSU and UNM to develop the civic engagement web site and 25 community or school civic engagement sites.
- S 316 RE:LEARNING PROGRAM, *Nava* — appropriates \$1.3 million from the General Fund to the ENMU Board of Regents for FY 06 to continue the Re:Learning program to support school improvement in all grades of public schools statewide. [Identical to H 615]
- S 321 NORTHERN NEW MEXICO TEACHER PROGRAM, *Martinez* — appropriates \$565,000 from the General Fund to the NNMCC Board of Regents for FY 06 to implement a teacher education program. [Identical to H 328]
- *S 322 RETIREE HEALTH CARE AUTHORITY EXPENSES, *Lopez* — appropriates \$950,000 from the Retiree Health Care Fund to the Retiree Health Care Authority for FY 05 to fund program operations, including the establishment of a satellite office in Santa Fe. [Similar to *H 117a]
- S 326a RETIREE HEALTH CARE AUTHORITY ELIGIBILITY, *Lopez* — amends the Retiree Health Care Act to include as eligible participating retirees the former members of certain governing boards.
- S 330 PERFORMANCE CONTRACTING ACT, *Griego* — enacts the Performance Contracting Act; requires every state agency, before it decides to contract for professional services, to determine whether the contract will produce benefits that exceed the costs; prescribes elements to be included in a performance contract; and requires DFA to assist other agencies with compliance. (May affect PED) [Similar to CS/H 283]
- S 335 PART-TIME EMPLOYEE INSURANCE COVERAGE, *Grubestic* — amends statute to require insurers to offer coverage to certain part-time employees. (May affect NMPSIA) [Identical to H 289, Laws 2005, Chapter 42]
- S 343 WNMU RECURRING NURSING PROGRAM NEEDS, *Altamirano* — appropriates \$584,350 from the General Fund to the WNMU Board of Regents for FY 05 and FY 06 to fund recurring expenditures of a Bachelor of Science degree in nursing and registered nurse program expansion.
- S 346 WNMU SCHOOL OF EDUCATION, *Altamirano* — appropriates \$641,600 from the General Fund to the WNMU Board of Regents for FY 05 and FY 06 to maintain the network for web-based teacher licensure.

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- *S 351a ELECTRONIC PROCUREMENT BID SUBMISSIONS, *Altamirano* — amends the Procurement Code to provide that, under certain circumstances, bids and proposals may be submitted electronically. (May affect public schools)

- S 353 HISPANIC AFFAIRS ACT, *Altamirano* — enacts the Hispanic Affairs Act; creates the Office of Hispanic Affairs, administratively attached to HSD, and the Office of Hispanic Affairs Fund; appropriates \$250,000 from the General Fund to the Office of Hispanic Affairs Fund for FY 06 and subsequent years; and, among other duties, requires the office to study issues important to Hispanics, to encourage funding and implementation of education and training programs for Hispanics, and to act generally as an advocate for Hispanic residents of New Mexico. (May affect public schools)

- S 357 ELEMENTARY SCHOOL DWI EDUCATION PROGRAMS, *Cravens* — appropriates \$2.0 million from the General Fund to PED for FY 06 to expand DWI awareness education in grades 4 through 6, through contract only with programs or advocate groups that provide an evidence-based curriculum.

- S 360a PRE-KINDERGARTEN ACT, *Nava* — enacts the Pre-Kindergarten Act to provide the first year of a voluntary program for four-year-olds, with funding given to public schools and to supplement public, tribal, and private early childhood programs that meet certain criteria, including serving children at least 66 percent of whom live within the attendance zone of a Title I elementary school; provides for joint administration of the program by PED and CYFD, with the assistance of the Child Development Board; provides for applications to PED and CYFD by local early childhood community councils; requires PED and CYFD to monitor pre-kindergarten programs to ensure their effectiveness and to notify programs not meeting the goals that failure to meet goals will mean the loss of funding; creates the Pre-Kindergarten Fund, to be administered by PED and CYFD to pay eligible providers and other costs of the program; and appropriates \$9.0 million from the General Fund to the Pre-Kindergarten Fund for FY 06 and subsequent fiscal years and specifies several purposes for the appropriation. (For the LESC) [Similar to CS/H 337a, Laws 2005, Chapter 170]

- *S 365a CAPITAL PROJECTS REVIEW ACT, *Snyder* — enacts the Capital Projects Review Act to create a joint interim capital projects review committee to work with architectural, engineering, finance, and other experts in the public and private sectors to evaluate and prioritize proposed statewide and local capital outlay projects and to monitor projects authorized by the Legislature to ensure that appropriations are expended in the most cost-effective manner; exempts projects funded through the Public School Capital Outlay Act; and appropriates \$300,000 from legislative cash balances to the Legislative Council Service for FY 05 and FY 06 for the per diem and mileage of review committee members and other expenses.

- S 368 SCHOOL BOARD APPROVAL FOR PERSONNEL DECISIONS, *Rainaldi* — amends the Public School Code to require local school boards to approve the hiring and firing of certified school personnel.

- S 378 CLOTHING & FOOTWEAR GROSS RECEIPTS, *Ingle* — adds a new section to the Gross Receipts and Compensating Tax Act to provide a gross receipts tax deduction for sales of certain clothing and footwear during a designated three-day period in August prior to the beginning of each school year. [Similar to S 781]

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- *S 382a NMSU AERONAUTICS & SPACE PROGRAM, *Rawson* — appropriates \$475,000 from the General Fund to the NMSU Board of Regents for FY 05 and subsequent fiscal years for the New Mexico Space Grant Consortium. (May affect public schools) [Similar to *H 557]

- S 383 BUSINESS TRAINING FOR CERTAIN TEACHERS, *Nava* — appropriates \$100,000 from the General Fund to PED for FY 06 to provide economic education instruction and other business-related training to elementary and secondary public school teachers in New Mexico, training that is aligned with state content standards, benchmarks, and performance standards for social studies.

- S 385 EXPAND LOTTERY SCHOLARSHIP ELIGIBILITY, *Leavell* — amends the lottery scholarship statutes to allow lottery tuition scholarships to be used at private postsecondary educational institutions in New Mexico (not to exceed the amount of a tuition scholarship for UNM); to require CHE to promulgate rules governing lottery scholarship recipients' attending private postsecondary educational institutions; to extend eligibility for the lottery scholarship to students who attend a postsecondary institution within two years of completing high school or earning a GED diploma; and to extend eligibility to students who, at any time during enrollment in a postsecondary institution, obtain a GPA of 2.5 or higher.

- S 389a PROHIBIT SMOKING IN JAILS & SCHOOLS, *Carraro* — prohibits smoking on the premises of correctional facilities, except by employees in designated areas, and in public schools.

- S 393a INSURANCE TAX CREDIT & ELIGIBILITY, *Jennings* — amends statute to provide
FL/S 393 for small group coverage in the state medical insurance pool.

- S 399 OFFICE OF STATE HISTORIAN PROGRAMS, *Altamirano* — appropriates \$755,000 from the General Fund to the State Records Center for FY 06 for several programs in the Office of the State Historian, including the New Mexico History Web Site and the New Mexico History Scholars Program. (May affect public schools)

- S 402 SANTA FE JUNIOR WRESTLING TEAM, *Rodriguez* — appropriates \$25,000 from the General Fund to the Local Government Division of DFA for FY 06 to pay the expenses of the Santa Fe Junior Wrestling Team at the Grand National Tournament.

- S 404 STATE HISTORY WEB SITE, *Rodriguez* — appropriates \$350,000 from the General Fund to the State Records Center for FY 06 for the New Mexico History Web Site. (May affect public schools)

- S 406 VOCATIONAL REHABILITATION DIVISION TELE-WORK, *Rodriguez* — appropriates \$47,900 from the General Fund to the PED Vocational Rehabilitation Division for FY 06 to match federal money for the tele-work program, which provides loans for equipment that persons with disabilities need to start home businesses or for an employee with a disability to work from remote locations. [Similar to H 321a]

- S 407 HIGH SCHOOL MOCK TRIAL PROGRAM, *Rodriguez* — appropriates \$200,000 from the General Fund to the UNM Board of Regents for FY 06 for the School of Law to conduct the New Mexico High School Mock Trial Program.

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- S 409 TEEN PREGNANCY & FAMILY PROGRAMS, *Lopez* — appropriates, from the General Fund, \$1.0 million to PED to fund a pregnancy prevention and family strengthening program in public schools around the state; \$1.0 million to the NMSU Board of Regents for the Cooperative Extension Service to fund teen pregnancy prevention and family strengthening programs for families at risk; and \$600,000 to the Human Services Department for community-based young fatherhood and teen pregnancy prevention programs in New Mexico communities.
- S 421 NATIONAL INDIAN YOUTH LEADERSHIP PROJECT, *Nava* — appropriates \$250,000 from the General Fund to the Department of Health for FY 06 to support the National Indian Youth Leadership Project. (May affect public schools)
- S 434 CYFD OUT-OF-SCHOOL TIME PROGRAM, *Ortiz y Pino* — appropriates \$50,000 from the General Fund to CYFD for FY 06 for a task force for the out-of-school time program.
- S 436a ESPAÑOLA VALLEY MILITARY ACADEMY, *Martinez* — appropriates \$122,600 from the General Fund to PED for FY 05 and FY 06 to provide professional development, technology and telecommunications equipment, and library and audiovisual materials for the Española Military Academy (a charter school). [Similar to H 396]
- S 448 FAMILY MEDICAL LEAVE EMPLOYER TAX CREDIT, *McSorley* — adds a new section to the Income Tax Act to provide an income tax credit for employers for a portion of the cost of providing paid family medical leave. (May affect public schools and PED)
- S 449 FAMILY LEAVE ACT, *McSorley* — enacts the Family Leave Act to allow an employee entitled to sick leave or other paid time off, regardless of employer size or the length of the employee's tenure, to use the employee's choice of paid leave to care for a child with a health condition that requires treatment or supervision or for a spouse, parent, parent-in-law, or grandparent who has a serious health condition or an emergency condition. (May affect public schools)
- S 463 EXPLORA SCIENCE CENTER & CHILDREN'S MUSEUM, *Boitano* — appropriates \$500,000 from the General Fund to PED for FY 06 to fund educational programs through the Explora Science Center and Children's Museum in Albuquerque. [Similar to H 182]
- S 466a CYFD EARLY BIRTHDAY PRESCHOOL PROGRAM, *Feldman* — appropriates \$50,000 from the General Fund to CYFD for FY 06 for a preschool program in the north valley of Albuquerque for children with early birthdays and minimal or no preschool experience.
- S 474 PUBLIC SCHOOL EMPLOYEE LICENSURE DECISIONS, *Jennings* — amends the School Personnel Act to provide that a conviction for a crime that does not affect the employee's dealings with students is not, by itself, just cause for denial, suspension, or revocation of a license.
- S 481 TRIBAL LITERACY PROGRAMS, *Tsosie* — appropriates approximately \$2.4 million from the General Fund to PED for FY 06 and FY 07 for new literacy programs on 12 tribal sites that integrate in-school, after-school, and summer school literacy programs

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for children in grades K through 8; and requires PED to contract with a nonprofit organization that has more than 50 years' experience working with Native American children, that is already working on integrated tribal literacy programs, and that is willing to match the state funds with approximately \$1.2 million.

- S 484 MCKINLEY COUNTY SCHOOL TEACHER TRAINING, *Tsosie* — appropriates \$250,000 from the General Fund to PED for FY 06 to contract with a program to train and employ, for at least a two-year commitment, recent college graduates as teachers in the Gallup-McKinley County Public Schools. [Similar to H 464a]
- *S 485 ENMU VIRTUAL EDUCATION PROGRAMS, *Tsosie* — appropriates \$3.0 million from the General Fund to the ENMU Board of Regents for FY 05 through FY 07 to design, implement, and deliver web-based and other virtual education and distance learning courses through a consortium of school districts and higher education institutions.
- S 487 HIGH SCHOOL MATH, SCIENCE & ENGINEERING, *Lopez* — appropriates \$250,000 from the General Fund to CHE for FY 06 to provide programs at various New Mexico colleges and universities for high school students to develop expertise in the fields of mathematics, science, and engineering.
- S 491 COMMUNITY ACCESS TO MEDIA & INFO ACT, *Carraro* — enacts the Community Access to Media and Information Act to require that a franchise agreement between a political subdivision of the state and a service provider reserve a certain portion of the bandwidth or channels for public use. (May affect public schools) [Identical to H 959]
- S 492a COMPASSIONATE USE MEDICAL MARIJUANA ACT, *Robinson* — enacts the Compassionate Use Medical Marijuana Act to allow the medical use of marijuana under certain circumstances; and provides that possession or use of marijuana in a school bus or public vehicle or on school grounds or property may result in criminal prosecution or civil penalty.
- S 493 UNDERSERVED AREA INDEPENDENT LIVING SERVICES, *Ingle* — appropriates \$1.0 million from the General Fund to the Vocational Rehabilitation Division of PED for FY 06 to expand independent living centers and improve outreach and other services in underserved counties and counties not currently receiving independent living services.
- S 496 HEALTH INSURANCE RATES & ALLIANCE MEMBERSHIP, *Altamirano* — expands the membership of the board of directors of the New Mexico Health Insurance Alliance, changes the health plan premium rate structure, and requires the alliance to conduct outreach and technical assistance activities to increase employer, employee, and public awareness of available health insurance coverage options and to assist employers in securing or retaining health insurance coverage for employees and their dependents. [Identical to H 394, Laws 2005, Chapter 21, also identical to S 504]
- *S 499 SCHOOL PERSONNEL LEVEL 1 & 2 LICENSES, *Kernan* — amends the School Personnel Act to make a Level 1 provisional license a four-year license. [Similar to *S 662a, Laws 2005, Chapter 316]

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- S 503 PARENTAL INVOLVEMENT IN PUBLIC SCHOOLS, *Nava* — appropriates \$250,000 from the General Fund to PED for FY 06 to train parents, teachers, administrators, and educational support staff in parental involvement strategies for public schools. [Identical to H 671]
- S 504 HEALTH INSURANCE RATES & ALLIANCE MEMBERSHIP, *Altamirano* — expands the membership of the board of directors of the New Mexico Health Insurance Alliance, changes the health plan premium rate structure, and requires the alliance to conduct outreach and technical assistance activities to increase employer, employee, and public awareness of available health insurance coverage options and to assist employers in securing or retaining health insurance coverage for employees and their dependents. [Identical to H 394, Laws 2005, Chapter 21, also identical to S 496]
- S 510 INCREASE CYFD EARLY CHILDHOOD WORKERS, *Nava* — appropriates \$1.0 million from the General Fund to CYFD for FY 06 to provide salary increases for approximately 1,500 early childhood workers, depending upon their level of education.
- S 511 CYFD EARLY CHILDHOOD TEACHERS & PROGRAMS, *Nava* — appropriates \$500,000 from the General Fund to CYFD for FY 06 to provide support for professionally trained early childhood teachers and early childhood programs to ensure that children are ready for school when they enter kindergarten.
- S 515a PROHIBIT SMOKING IN CERTAIN AREAS, *Grubestic* — amends the Clean Indoor Air Act to prohibit smoking in any enclosed indoor workplace or enclosed indoor public place, including classrooms and school cafeterias; and imposes penalties for violations.
- S 519 MIDDLE SCHOOL TEACHER SCIENCE & MATH TRAINING, *Martinez* — appropriates \$260,000 from the General Fund to the NNMCC Board of Regents for FY 06 to provide a program to train middle school teachers to improve their skills, technical knowledge, and teaching techniques in science, math, and technology so that middle school teachers are better prepared to teach students in those subjects. [Identical to H 621]
- S 520a OUT-OF-SCHOOL PROGRAM INVENTORY & STUDY, *Taylor* — appropriates \$200,000 from the General Fund to CYFD for FY 05 and FY 06 for an out-of-school program inventory and study, a directory, data alignment, and content audit.
- S 522a REQUIRE CAR BOOSTER SEATS FOR SOME CHILDREN, *Komadina* — amends statute to prescribe additional criteria for child restraints in passenger cars, vans, and pickup trucks, with certain exceptions, among them school buses. (May affect public schools) [Identical to S 586a, Laws 2005, Chapter 298]
- S 523 EDUCATIONAL ASSISTANT LICENSING FRAMEWORK, *Taylor* — amends the Public School Code to implement a four-level licensing and salary framework for educational assistants (EAs); prescribes minimum salaries for each level, phased in through FY 08; requires PED to promulgate rules to ensure that EAs who hold a Level 3 or Level 4 license meet the standard for paraprofessionals established in federal law for Title I programs; and appropriates \$3.8 million from the General Fund to PED for FY 06 to support the second year of a four-year phase-in of the licensing and salary framework. [Similar to H 137a]

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- S 525a NUTRITION COUNCIL ACT, *Altamirano* — enacts the Nutrition Council Act to improve the quality of food grown in, produced in, or imported into New Mexico or exported from New Mexico and to educate New Mexico citizens in good nutritional choices; creates the Nutrition Council, administratively attached to the Department of Health; prescribes duties for the council, among them: through PED, to develop a questionnaire sent to selected students in New Mexico to build a statewide nutrition database, to review the quality of the public school lunch programs and recommend improvements to the Secretary of Public Education; and creates the Nutrition Fund in the state treasury.
- *S 528 INDIAN AFFAIRS CAPITAL PROJECTS TECHNICIAN, *Pinto* — enacts a new section of the Indian Affairs Department Act; and appropriates \$65,000 from the General Fund for FY 05 and FY 06 to the Indian Affairs Department to create the position of capital projects field technician, employed by the department, to make field contact with each Navajo Nation chapter or entity or other tribal community for which funding for a capital project is appropriated by the Legislature. (May affect public schools)
- S 530 SANTA FE LOW-INCOME AFTER-SCHOOL PROGRAMS, *Grubestic* — appropriates \$95,000 from the General Fund to PED for FY 06 to provide after-school programs in the Santa Fe Public Schools for low-income students at risk of academic and social failure.
- S 547 UNM COLLEGE PREPARATORY MENTORING PROGRAMS, *Robinson* — appropriates \$150,000 from the General Fund to the UNM Board of Regents for FY 06 to support UNM’s special programs office implementation of college preparatory mentoring programs for 8th graders in APS.
- S 556 FILM ADVISORY BOARD NATIVE AMERICAN TRAINING, *Robinson* — appropriates \$100,000 from the General Fund to the Governor’s Council on Film and Media Industries for FY 06 to provide training to Native American youth and teenagers in the film and television industry, including production and writing. (May affect public schools)
- S 559 UNM LATIN AMERICAN STUDENT RECRUITMENT, *Robinson* — appropriates \$75,000 from the General Fund to the UNM Board of Regents for FY 06 for Latin American student recruitment programs.
- S 561 BILINGUAL MULTICULTURAL EDUCATIONAL UNITS, *Nava* — amends the School Finance Act to increase the cost differential factor for bilingual multicultural education program units to 0.8, effective July 1, 2005; and appropriates \$21.175 million from the General Fund to the Public School Fund for distribution through the SEG for FY 06 to increase the bilingual multicultural program unit.
- S 567 NM HIGHLANDS LANGUAGE IMMERSION PROGRAM, *Campos* — appropriates \$250,000 from the General Fund to the NMHU Board of Regents for FY 06 to support an English-Spanish language immersion program. (May affect public school teachers) [Similar to H 543]

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- S 568 NM HIGHLANDS MESA PROGRAM, *Campos* — appropriates \$25,000 from the General Fund to the NMHU Board of Regents for FY 06 to support the MESA Program.
- S 571 ATHLETIC EVENT OFFICIAL GROSS RECEIPTS, *Campos* — amends the Gross Receipts and Compensating Tax Act to exempt receipts from refereeing, umpiring, scoring, or other athletic officiating at sporting events in New Mexico. (May affect public schools)
- S 572 ANNUAL SCHOOL PROJECT SHORT-TERM STB'S, *Campos* — authorizes short-term severance tax bonds to be issued annually for capital projects of public schools and higher education.
- S 580 CHILD ABUSER REGISTRATION & NOTIFICATION ACT, *Campos* — enacts the Child Abuser Registration and Notification Act; requires a child abuser residing, employed, or attending school in New Mexico to register with the county sheriff for the county in which the child abuser resides; prescribes conditions for registration and renewal of registration; and requires courts and correctional departments to provide written notification to the county sheriff upon release of the child abuser. (May affect public schools)
- S 584 VOLUNTEER & CHARITABLE ORGANIZATION LIABILITY, *Komadina* — enacts the Volunteer Immunity and Charitable Organization Liability Limit Act to encourage volunteerism and to encourage volunteer and charitable organizations by limiting the liability of charitable organizations and volunteers. (May affect public schools)
- S 595 PERMITS FOR FOOD SALES IN CERTAIN SCHOOLS, *Nava* — enacts a new section of statute to require permits issued by the Department of Health before anyone can offer food or drink for sale in a public school; prescribes a schedule of permit fees; creates the Student Wellness Fund for deposit of receipts from these fees; and provides exemptions for vending machines under certain circumstances. [Similar to CS/H 681]
- S 598 STATE HISTORIAN NM HISTORY WEBSITE, *Rodriguez* — appropriates \$200,000 from the General Fund to the State Commission of Public Records for FY 06 for the State Historian's New Mexico history web site project to enhance the content development for the existing web site. (May affect public schools) [Identical to H 861]
- S 606 SCHOOL EMPLOYEE HEALTH INSURANCE CONTRIBUTION, *Komadina* — amends statute to standardize at 80 percent the percentage of the cost of an employee's group insurance paid by school districts and charter schools.
- S 607 NM HISTORY PUBLICATION SERIES, *Altamirano* — appropriates \$210,000 from the General Fund to the State Commission of Public Records for FY 06 for the State Historian's New Mexico history publications series. (May affect public schools) [Identical to H 900]
- S 608 ADVANCED PLACEMENT NEW MEXICO PROGRAM, *Nava* — appropriates \$350,000 from the General Fund to the NMHU Board of Regents for FY 06 to support and expand the Advanced Placement program in grades 6 through 12. [Similar to H 771a]

FAILED
Public School-Related Legislation
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- S 612 INCREASE AGE FOR TOBACCO USE FROM 18 TO 21, *Jennings* — amends statute to raise the legal age for the possession and use of tobacco and to increase the penalty for violations by minors. (May affect public schools)
- S 613 CORRECT SCHOOL TECHNOLOGY DEFICIENCIES, *Nava* — appropriates \$21.0 million from the General Fund to PED's Education Technology Bureau for FY 05 through FY 08 to identify and correct educational technology deficiencies in the public schools.
- S 615 PRE-COLLEGE MATH & SCIENCE SKILL IMPROVEMENT, *Nava* — appropriates \$200,000 from the General Fund to the NMSU Board of Regents for FY 06 to improve math and science skills of economically disadvantaged pre-college students for entry into science and engineering majors. [Identical to H 761]
- S 616 NEW MEXICO GOLDEN APPLE PROGRAM, *Nava* — appropriates \$250,000 from the General Fund to PED for FY 06 for the Golden Apple program. [Identical to H 789]
- S 621 SAME DAY VOTER REGISTRATION, *Ortiz y Pino* — amends the Election Code to allow a qualified elector to register to vote on election day at the polling place for the precinct where the elector resides and to vote that same day. (May affect local school board and PEC elections) [Identical to H 701]
- S 622 STUDENT WORKPLACE EXPERIENCE PROGRAM, *Ryan* — appropriates \$150,000 from the General Fund to the Economic Development Department for FY 06 to support a statewide organization to promote Junior Achievement for middle and senior high school students by establishing workplace mentor relationships between students and businesspersons in the community so the students can have the benefit of direct experience in the business world.
- S 628 ACEQUIA MADRE SCHOOL BILINGUAL PROGRAM, *Rodriguez* — appropriates \$25,000 from the General Fund to PED for FY 06 to establish and support a bilingual program at Acequia Madre Elementary School in Santa Fe.
- S 636 HEALTH SECURITY ACT, *Cisneros* — enacts the Health Security Act; establishes procedures to contain health care costs; creates the Health Care Commission; provides for health care delivery regions and regional councils; and directs and authorizes the development of a statewide health care plan available to any permanent New Mexico resident, including dependents, who applies. (May affect public schools) [Identical to H 746]
- S 638 WNMU SCHOOL TECHNOLOGY CONSORTIUM, *Smith* — appropriates \$185,500 from the General Fund to the WNMU Board of Regents for FY 06 to develop and implement a school technology consortium.
- S 640 GENERAL APPROPRIATION ACT OF 2005, *Fidel* — appropriates funds to state agencies for FY 06, including appropriations to PED and Other Education; and appropriates over \$2.0 billion to Public School Support.
- S 641 PUBLIC RECORD REPRODUCTION COST RECOVERY, *Smith* — amends the Inspection of Public Records Act to limit the fees that may be charged for copying public records to the actual cost to the public body of reproducing the records. (May affect public schools) [Identical to H 456]

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Public School-Related Legislation
Forty-Seventh Legislature, First Session, 2005

- S 645a CURFEW ENFORCEMENT ACT, *Payne* — enacts the Curfew Enforcement Act to authorize municipalities and counties to enact curfew ordinances under certain conditions to protect children from dangerous circumstances as a result of being without proper supervision from 12:00 a.m. to 5:00 a.m.; prescribes the kinds of questions that a law enforcement officer may ask a child; and prescribes the kind of data that may be kept. (May affect public schools) [Identical to H 471a]
- S 646 CRIMINAL RECORD EXPUNGEMENT ACT, *Martinez* — enacts the Criminal Record Expungement Act; allows a court of original jurisdiction, upon its own motion or upon a petition from an accused, to order expungement of public records and files within 30 days of the day the petition is filed, under certain conditions; and provides several options for response by CYFD, PED, and HSD when they receive an order of expungement.
- S 647 HIGH SCHOOL GRADUATION EXAM STANDARDS, *Boitano* — amends the
FL/S 647 Public School Code to require a student’s Next Step Plan to ensure that the student is informed about the requirements for receiving a high school diploma and to require that, beginning in school year 2009-2010, school districts use the 11th grade standards-based academic performance test as the high school competency exam.
- S 651 DECOUPLE LOTTERY SCHOLARSHIPS FROM TUITION, *Altamirano* — amends the lottery scholarship statutes to set flat scholarship award amounts for various postsecondary educational institutions in New Mexico. [Identical to H 777]
- S 655 PRIVATE GO BOND SALES TO NMFA, *McSorley* — amends statute to exclude the private sale of general obligation bonds by a qualified entity to the New Mexico Finance Authority. (May affect public schools) [Identical to H 631]
- S 667 SANTA FE SCHOOLS SCIENCE INSTRUCTION, *Grubestic* — appropriates \$20,000 from the General Fund to PED for FY 06 to contract with a nonprofit organization dedicated to improving science education in Santa Fe to provide teacher training and in-class mentors and to integrate hands-on science techniques into standard curricula.
- S 679 BERNALILLO AFTER-SCHOOL & SUMMER PROGRAMS, *Lopez* — appropriates \$500,000 from the General Fund to the Local Government Division of DFA for FY 06 for Bernalillo County programs for after-school instructional reading and math remedial or enrichment programs and for the summer “bridge” program for students who need additional instruction in reading and math.
- S 680 ELECTION CODE CLEANUP, *Lopez* — amends the Election Code to make it consistent with federal law; redefines terms; amends certain supervisory duties of the Secretary of State; specifies how precincts may be formed and designated; and amends provisions related to the statewide computerized voter registration system and to the use of voter files. (May affect local school board and PEC elections) (Succeeding entries: CS/CS/S 678, Laws 2005, Chapter 270)
- S 684 SANTA FE SCHOOLS RECRUITMENT INCENTIVES, *Rodriguez* — appropriates \$60,000 from the General Fund to PED for FY 06 to provide recruitment incentives for Santa Fe Public Schools.

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- S 692 SANTA FE PERFORMING ARTS PROGRAM, *Griego* — appropriates \$50,000 from the General Fund to the Local Government Division of DFA for FY 06 for a Santa Fe County performing arts program serving over 5,000 northern New Mexico children on an annual basis. (May affect public schools)
- S 698 SANTA FE & BERNALILLO YOUTH & COMPUTER CLUBS, *Sanchez, B* — appropriates \$500,000 from the General Fund to the Local Government Division of DFA for FY 06 for Bernalillo and Santa Fe counties to provide staffing and operation expenses for computer clubhouses that give youth ages six to 18 access to computer technology and to mentors. [Identical to H 773]
- S 707 NO REMEDIAL CLASSES FOR SCHOLARSHIPS, *Boitano* — amends the lottery scholarship statutes to provide that students taking one or more remedial classes at a four-year postsecondary educational institution and students taking two or more remedial classes at a two-year institution are ineligible for the lottery scholarship.
- S 708 MINIMUM NMFA TRANSACTION RATE OF RETURN, *Smith* — amends statute to set a minimum rate of return for certain transactions of the New Mexico Finance Authority. (May affect public schools)
- S 711 LEGISLATIVE HEARINGS CERTAIN RULES, *Sharer* — amends statute to require certain agencies proposing to promulgate a rule to file the proposed rule with the Director of the Legislative Council Service (LCS) prior to any public hearing otherwise required and to require a public hearing before the appropriate legislative committee within 90 days of the filing of the rule with the Director of the LCS. [Similar to H 705]
- S 716a CONTINUATION OF HEALTH INSURANCE, *Rawson* — amends statute to allow unemployed former employees to participate in New Mexico medical insurance pool coverage without first exhausting federal benefits. (May affect public schools)
- S 718 VOTER IDENTIFICATION & BALLOT COUNTING, *Ortiz y Pino* — amends the Election Code to require a prescribed voter identification card as one means of voter identification, to amend voter registration procedures, to require the Secretary of State to review the statewide computerized voter registration system files for duplicate registrations, and to require paper ballots for all elections covered by the Election Code, among other changes. (May affect local school board and PEC elections) (Succeeding entries: CS/CS/S 678, Laws 2005, Chapter 270)
- S 734 INDIAN AFFAIRS & TRIBAL TELECOMMUNICATIONS, *Tsosie* — enacts statute to require the Indian Affairs Department to establish a partnership with a telecommunications institute to develop plans to deliver basic, emergency, and advanced telecommunications services to unserved and underserved tribal communities within the state; and appropriates \$450,000 from the General Fund for FY 06 to the Indian Affairs Department. (May affect public schools)
- S 739 HIGHLANDS NATIVE AMERICAN & HISPANIC STUDENTS, *Campos* — appropriates \$652,194 from the General Fund to the NMHU Board of Regents for FY 06 for Native American and Hispanic student access and retention programs.

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- S 744a STATE USE ACT FOR PERSONS WITH DISABILITIES, *Campos* — enacts the State Use Act to encourage and assist persons with disabilities to achieve maximum personal independence through useful and productive employment by ensuring an expanded and constant market for their services; establishes the New Mexico Council for Purchasing from Persons with Disabilities to determine, among other duties, which services provided by persons with disabilities in community rehabilitation programs are suitable for sale to state agencies and local public bodies; establishes conditions under which a state agency or local public body may procure services from a community rehabilitation program; and specifies that such procurement is exempt from the Procurement Code. (May affect public schools) [Similar to H 498a, Laws 2005, Chapter 334]
- S 750a NATIVE AMERICAN YOUTH SPORT & CULTURE PROGRAM, *Pinto* — appropriates \$150,000 from the General Fund to the Indian Affairs Department for FY 06 to fund a sports and culture program for Native American youth participating in traditional sporting events that promote cultural heritage and education. (May affect public schools)
- S 761 SCHOOL-BASED HEALTH CLINICS, *Pinto* — appropriates \$2.0 million from the General Fund to the Department of Health for FY 06 to support existing services in school-based health clinics statewide. [Identical to H 552]
- S 764 REDUCE NATURAL GAS SEVERANCE TAX RATE, *Adair* — amends the Oil and Gas Emergency School Tax Act to reduce the rate of tax on severing natural gas.
- S 767 SANTA FE YOUTH PERFORMING ARTS PROGRAM, *Grubestic* — appropriates \$200,000 from the General Fund to the Cultural Affairs Department for FY 06 to implement and operate a program for youth education in the performing arts, to be conducted in a year-round performing arts center in Santa Fe. [Identical to H 146]
- *S 773 TAOS SUMMERTIME ACADEMIC PROGRAM, *Cisneros* — appropriates \$75,000 from the General Fund to PED for FY 05 and FY 06 for Taos Municipal Schools to operate its Summerbridge Academy, an experimental summertime academic program that is designed to help students prepare for the next school year and that will serve as a demonstration project for other school districts. [Identical to *H 724]
- S 779 SCHOOL-BASED HEALTH CENTERS, *Nava* — appropriates \$3.0 million from the General Fund to the Public Health Division of the Department of Health for FY 06 to expand and operate school-based health centers in New Mexico.
- S 780 DEVELOP CITIZEN PREPARATION CURRICULA, *Nava* — appropriates \$100,000 from the General Fund to PED for FY 06 to develop curricula relating to citizen participation in government and teacher training and to provide assistance to students participating in programs that develop awareness of the US constitution.
- S 781 3 DAY PERSONAL PROPERTY SALE GROSS RECEIPTS, *Ingle* — adds a new section to the Gross Receipts and Compensating Tax Act to provide a gross receipts tax deduction for sales of certain clothing and footwear, computer components, and school supplies during a designated three-day period in August prior to the beginning of each school year. [Similar to S 378]

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Public School-Related Legislation
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- S 784 ALLOW FORMATION OF CERTAIN PRECINCT BOARDS, *Duran* — amends the Election Code to allow, rather than require, the county clerk to perform the duties of the precinct board in uncontested elections with no bond issues on the ballot. (May affect public school elections)
- S 794 OBESITY PREVENTION PROGRAMS, *Feldman* — appropriates \$750,000 from the General Fund to the Department of Health for FY 06 for programs that improve nutrition and physical activity in schools and communities to prevent obesity in children and youth.
- S 795 LYNN PIERSON COMPASSIONATE USE ACT, *McSorley* — enacts the Lynn Pierson Compassionate Use Act to allow the beneficial use of medical cannabis in a regulated system for treating debilitating medical conditions. (May affect public schools)
- S 803 RURAL EDUCATION DIVISION RELOCATION, *Rawson* — adds a new section to the Public Education Department Act to relocate PED’s Rural Education Division at NMSU and to provide that employees remain with PED.
- S 807 PUBLIC FACILITY UTILITY SAVINGS CONTRACTS, *Carraro* — amends the Public Facility Energy Efficiency and Water Conservation Act to allow additional guarantees of performance; extends guaranteed utility savings contracts from 10 to 14 years; and amends the Procurement Code to clarify that certain contracts may provide for both design and installation. (May affect public schools)
- S 808 CHARTER SCHOOLS INDEPENDENT OF DISTRICTS, *Sharer* — amends the Public School Code to require each charter school to be its own board of finance; to allow dual chartering authority (local school boards and PED); to eliminate conversion charter schools after June 30, 2005; to require each charter school to comply with all applicable state and federal laws and rules related to special education; to implement and clarify requirements for charter school facilities; to provide for appeals to PED and district court; to prohibit nepotism in charter schools; to limit the number of start-up charter schools; and to allow PED to use 3.0 percent of a charter school’s program cost, among other amendments. [Similar to H 910 and S 1007]
- S 810 PRIVATE SCHOOL TUITION TAX CREDIT, *Sharer* — enacts a new section of the Income Tax Act to allow a tax credit, called the “School Choice Tax Credit,” of up to \$3,000 for tuition paid for a dependent enrolled in an accredited private elementary or secondary school in New Mexico; and to provide that, if the credit exceeds the taxpayer’s income tax liability, the excess be refunded to the taxpayer. [Identical to H 233]
- S 811 FUNDING FOR NEW SCHOOL OPENINGS, *Komadina* — adds a new section to the Public School Finance Act to create the New Schools Fund, to be administered by PED; allocates money from the fund to PED to assist school districts with start-up costs for new schools other than charter schools; and appropriates \$1.0 million from the General Fund to the New School Fund for FY 05 and subsequent fiscal years.
- S 816 TECHNOLOGY ASSISTANCE PROGRAM, *Taylor* — appropriates \$273,660 from the General Fund to PED for FY 06 for the technology assistance program of the Vocational Rehabilitation Division to administer a statewide low-interest or no-interest loan program for persons with disabilities. [Similar to H 932]

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Public School-Related Legislation
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- S 822 EXPAND LOTTERY SCHOLARSHIP ELIGIBILITY, *Komadina* — amends the lottery scholarship statutes to extend eligibility to all resident full-time students who maintain a certain GPA, regardless of when they enter a postsecondary educational institution.
- S 827 NM HIGHLANDS BILINGUAL EDUCATION & HISTORY, *Campos* — appropriates \$512,330 from the General Fund to the NMHU Board of Regents for FY 06 and subsequent fiscal years to prepare, compile, and distribute bilingual education materials, including a book on New Mexico history, for students in kindergarten through 12th grade.
- S 833 STRENGTHENING QUALITY SCHOOLS INITIATIVE, *Nava* — appropriates \$1.0 million from the General Fund to PED for FY 06 for the Strengthening Quality in Schools (SQS) initiative. [Identical to S 298]
- S 836 GRANT COUNTY YOUTH MENTORING PROGRAM, *Altamirano* — appropriates \$10,000 from the General Fund to the Local Government Division of DFA for FY 06 to support a mentoring program for young men and women in Grant County.
- *S 843 PROHIBIT ATHLETE USE OF STEROIDS, *Sharer* — amends the Public School Code to require each school district, beginning with school year 2005-2006, to adopt a policy prohibiting the use of anabolic steroids by high school students and providing for random testing for steroids among high school students participating in interscholastic athletics governed by the New Mexico Activities Association; and appropriates \$300,000 from the General Fund to PED for FY 06 to pay for administrative and testing costs.
- S 845 TAX INCREMENT FINANCING, *Papen* — amends statute to change financing
CS/S 845a procedures for metropolitan redevelopment projects; to provide for voter approval of bonds secured by property taxes pursuant to the Tax Increment Law; and to provide for an election to form tax increment districts, among other changes. (May affect public schools)
- *S 848 MILITARY AFFAIRS AT-RISK YOUTH PROGRAM, *Cisneros* — appropriates \$1.5 million from the General Fund to the Department of Military Affairs for FY 05 and FY 06 to conduct a statewide, after-school educational and developmental program at National Guard armories for at-risk youth between the ages of 13 and 17.
- S 854 SPECIAL EDUCATION HEARINGS OFFICER PAYMENTS, *Campos* — adds a new section to the Public School Code to establish maximum payments to hearing officers in special education due process hearings.
- *S 867 STATEWIDE YOUTH VIOLENCE PREVENTION PROGRAMS, *Grubestic* — appropriates \$710,000 from the General Fund to the ENMU Board of Regents for FY 05 and FY 06 to continue and expand youth violence prevention programs statewide. (May affect public schools)
- S 868 ENACT NEW FAMILY PRESERVATION ACT, *Lopez* — enacts the Family Preservation Act to confirm the state's policy of support for the family in a number of areas, including ensuring that children receive quality education both in and out of school; changes the name of the former Family Preservation Act to the Family Support Act; and requires PED to assist CYFD by identifying children in public schools who are at risk for the purpose of making family support services available to those families.

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- S 869 NM REGIONAL EDUCATIONAL APPLICANT PROGRAM, *Asbill* — appropriates \$200,000 from the General Fund to PED for FY 06 and FY 07 to develop and improve a regional education applicant program connecting education staff members with job vacancies. [Identical to H 920]
- S 873 TRANSPORTATION FOR AFTER-SCHOOL PROGRAMS, *Griego* — appropriates \$85,000 from the General Fund to the Local Government Division of DFA for FY 06 for San Miguel County for transporting children to after-school and summer youth programs.
- S 878 STATE EMPLOYEE UNION MEMBER COST-OF-LIVING, *Rodriguez* — appropriates almost \$4.1 million from the General Fund to DFA for FY 06 to provide two COLA salary increases to all state employees who are members of the bargaining unit represented by the American Federation of State, County and Municipal Employees: the first increase effective July 1, 2005 and the second effective January 1, 2006. [Identical to H 940]
- *S 886 STATE PLANE & 2004 CAPITAL OUTLAY, *Jennings* — authorizes the issuance of severance tax bonds for capital projects throughout New Mexico, including projects at public schools.
- S 889 BROWSER-BASED COMPUTERIZED LEARNING SYSTEM, *Asbill* — appropriates \$4.0 million from the General Fund to PED for FY 06 to develop and implement a browser-based computerized learning system that aligns public schools' curricula to New Mexico content standards and benchmarks and current textbooks; and prescribes features and functions of the learning system. [Identical to H 670]
- S 891a MEDICAL THERAPEUTIC USE OF CANNABIS ACT, *Komadina* — enacts the Medical Therapeutic Use of Pharmaceutical Grade Cannabis Act to allow the beneficial use of medical cannabis in a regulated system for treating medical conditions; provides criminal prosecution or civil penalty for possession or use of cannabis in a school bus or public vehicle or on school grounds or property; and amends sections of the Controlled Substances Act.
- S 897a LOWER DESIGN & BUILD PROJECT COST MINIMUM, *Snyder* — amends statute to lower the minimum construction cost for design and build projects and to require payment of recompense to “short-listed firms” and the “highest-ranked firm” to cover proposal expenses. (May affect public schools)
- S 898 ENMU KINDERGARTEN TEACHER DEVELOPMENT, *Kernan* — appropriates \$2.0 million from the General Fund to the ENMU Board of Regents for FY 06 and FY 07 to provide web-based and face-to-face professional development for kindergarten teachers.
- S 902 ADULT & FAMILY LITERACY SERVICES, *Ryan* — appropriates \$200,000 from the General Fund to the Library Division of the Cultural Affairs Department for FY 06 to contract with a statewide nonprofit adult literacy organization to provide basic literacy services in areas of the state that are underserved by existing adult basic education and literacy programs.

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Public School-Related Legislation
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- S 907 PUBLIC SCHOOL HUMAN RIGHTS EDUCATION, *Feldman* — appropriates \$150,000 from the General Fund to the Local Government Division of DFA for FY 06 for the Bernalillo County Sheriff’s Department to contract with a program already developed and successfully field-tested to present human rights education programs in the public schools.
- S 924 LAS VEGAS MATH & SCIENCE TEACHER DEVELOPMENT, *Griego* — appropriates \$20,000 from the General Fund to the Teacher Professional Development Fund for FY 06 to train middle school teachers in West Las Vegas Public Schools in science, math, and technology. [Similar to H 922a]
- S 936 ROLLING RAINFOREST EXHIBIT TO NEW MEXICO, *Robinson* — appropriates \$100,000 from the General Fund to the Tourism Department for FY 06 to contract with the Children’s Museum of Washington, DC, to bring its rolling rainforest exhibit to New Mexico. (May affect public schools)
- S 952 CONSTRUCTION MANAGER AT-RISK CONTRACTS, *Snyder* — amends statute to define the term “construction manager at-risk,” to set maximum allowable construction costs, and to provide for construction manager at-risk contracts and responsibilities of construction managers at risk. (May affect public schools)
- S 960 ANNUAL DISCLOSURE OF PUBLIC CONTRACTS, *Ortiz y Pino* — adds new sections of statute to require the Management and Contracts Review Division of DFA to report annually to the Legislature all public contracts, tax benefits, economic development incentives, and their respective values. (May affect PED)
- S 969 LOCAL SCHOOL BOARD PERSONNEL HIRING PRACTICES, *Campos* — amends the School Personnel Act to provide that local school boards hire both licensed and unlicensed school employees.
- S 972 ENLACE PROGRAM AT CERTAIN COLLEGES, *Sanchez,B* — appropriate funds from the General Fund to certain postsecondary educational institutions for FY 06 to support ENLACE programs: \$400,000 to the UNM Board of Regents; \$400,000 to the NMSU Board of Regents; and \$400,000 to CHE for Santa Fe Community College. [Identical to CS/S 1078]
- S 981 SCHOOL & VOCATIONAL DISTRICT ELECTIONS, *Komadina* — amends statute to require an election in a school district that is partially within a technical and vocational institute district and to provide for readjustment of district boundaries.
- S 993 CREATE LAND EXCHANGE REVIEW BOARD, *Cisneros* — creates the Land Exchange Review Board to review proposed exchanges of state land; and requires that, for land exchanges for which the public schools are the beneficiary, the schools shall be represented by a designee of the Secretary of Public Education.
- S 996 CAREER PATHWAYS STUDENT PILOT PROJECT, *Boitano* — adds a new section to the Public School Code to create the Career Pathways Pilot Project as a seven-year pilot project to determine whether the pathways model improves certain student outcomes; and appropriates \$500,000 from the General Fund to the Career Pathways Pilot Project Fund for FY 06 and subsequent fiscal years to pay the first-year costs of the pilot project.

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Public School-Related Legislation
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- S 998 INFRASTRUCTURE RENOVATION & PERFORMANCE, *Griego* — enacts the Infrastructure Renovation and Performance Guarantee Act to authorize governmental entities to enter into agreements regarding infrastructure. (May affect public schools)
- S 1000 HOMELESSNESS & MENTAL ILLNESS FILM, *Ortiz y Pino* — appropriates \$250,000 from the General Fund to the Department of Health for FY 06 to develop a film to address the stigma associated with homelessness, mental illness in the homeless population, and homeless people. (May affect public schools)
- S 1002 ALBUQUERQUE NEIGHBORHOOD AFTER-SCHOOL PROGRAM, *Ortiz y Pino* — appropriates \$30,000 from the General Fund to the Local Government Division of DFA for FY 06 to contract for provision of after-school programming through Albuquerque's Family and Community Services Department for the Santa Barbara-Martineztown area of Albuquerque.
- S 1003 PUBLIC SCHOOL-COMMUNITY PARTNERSHIP PROJECT, *Ortiz y Pino* — adds a new section to the Public School Code to create the Albuquerque Public School-Community Partnership Pilot Project to determine whether public school-community partnership committees with the authority to make changes in public schools will enhance the performance of students in public schools that do not meet state standards,; requires PED to evaluate the progress of the project; and appropriates \$975,000 from the General Fund to PED for FY 06 to conduct the pilot project.
- S 1004 AMERICAN INDIAN HEADSTART LITERACY INITIATIVE, *Pinto* — appropriates \$193,652 from the General Fund to the UNM Board of Regents for FY 06 to continue and expand a collaboration among several parties to implement provisions of the Indian Education Act to produce culturally relevant tribal and urban Indian preschool curricula that foster English literacy and support the maintenance and development of native languages.
- S 1007 CHARTER SCHOOLS INDEPENDENT OF DISTRICTS, *Campos* — amends the Public School Code to require each charter school to be its own board of finance; to allow dual chartering authority (local school boards and PED); to eliminate conversion charter schools after June 30, 2005; to require each charter school to comply with all applicable state and federal laws and rules related to special education; to implement and clarify requirements for charter school facilities; to provide for appeals to PED and district court; to prohibit nepotism in charter schools; to limit the number of start-up charter schools; and to allow PED to use 3.0 percent of a charter school's program cost, among other amendments. [Similar to S 808 & H 910]
- S 1008 NATIVE AMERICAN POST-SECONDARY EDUCATION PREP, *Pinto* — appropriates \$50,000 from the General Fund to the Indian Affairs Department for FY 06 to fund a program to prepare incoming American Indian freshmen students for postsecondary education at UNM. (May affect public schools)
- S 1012 PARTICIPATION IN INTERNATIONAL EDUCATION, *Kernan* — appropriates \$50,000 from the General Fund to PED for FY 06 to fund New Mexico's participation in a multistate collaborative to advance international education and respect for citizens of other ethnicities, nationalities, and countries.

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- S 1016 SOUTHWEST NM YOUTH ADVOCACY PROGRAM PROVIDERS, *Altamirano* — appropriates \$40,000 from the General Fund to CYFD for FY 06 to contract with a nonprofit entity to improve its facilities for delivering youth advocacy and family skills programs in Grant County and the southwest region of New Mexico. (May affect public schools)
- S 1017 DEVELOPMENT FEES FOR MUNICIPALITIES, *Feldman* — amends the Development Fees Act to include schools, libraries, and community centers as payable by impact fees.
- S 1019 GALLUP-MCKINLEY COUNTY SCHOOL DISTRICT SPLIT, *Tsosie* — appropriates \$100,000 from the General Fund to the Indian Affairs Department for FY 06 to study the feasibility of creating two or more school districts from the Gallup-McKinley County Schools.
- S 1025 REGULATION OF ALCOHOLIC LOOK-A-LIKE PRODUCTS, *Tsosie* — enacts a new section of statute to limit the influence of alcoholic look-a-like products on New Mexico's children by restricting the sale of those products.
- S 1034a AUDIT REQUIREMENTS FOR DONATIONS TO AGENCIES, *Cravens* — amends statute to require an audit, review, or statement, depending upon gross annual income, of the fiscal status of certain organizations that donate to agencies, including public schools.
- *S 1035 LEGISLATIVE CAPITAL FUNDS, *Ingle* — authorizes the issuance of severance tax bonds for capital projects throughout New Mexico; authorizes up to \$65.0 million in severance tax bonds proceeds and earnings on investment to a nonreverting fund created for expenditure in FY 05 and subsequent years; and appropriates \$33.5 million from the General Fund to the Legislative Appropriation Capital Fund (nonreverting), appropriated to various agencies for FY 05 and subsequent fiscal years. (May affect public schools) [Identical to *CS/H 1113]
- S 1038a SCHOOL BUS ROUTES FOR ALL DISTRICT STUDENTS, *Tsosie* — amends the Public School Code to allow a school district, through an agreement with an adjoining school district, to provide bus transportation for an out-of-district child attending the district school; and to require arbitration if the two school districts cannot reach an agreement.
- S 1041 PUBLIC EMPLOYEE DEFINED CONTRIBUTION PLAN, *Rawson* — amends the Public Employees Retirement Act to require that employees beginning employment after July 1, 2006 enroll in a defined contribution plan; and to require a conversion plan to transfer current members to a defined contribution plan. (May affect PED employees)
- *S 1044 LEGISLATIVE EDUCATION STUDY COMMITTEE MEMBERS, *Tsosie* — amends statute to change the membership of the LESC to consist of six senators and six representatives.
- S 1047 EXPERT BILINGUAL EDUCATION SERVICES, *Campos* — appropriates \$30,000 from the General Fund to PED for FY 06 to purchase expert services and instruction in bilingual education at West Las Vegas High School.

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- S 1054 SIGN LANGUAGE INTERPRETING PRACTICES ACT, *Rodriguez* — enacts the Sign Language Interpreting Practice Act; creates the Sign Language Interpreting Practice Board, administratively attached to the Regulation and Licensing Department; assigns duties to the board, among them administering and enforcing the act, evaluating the qualifications of applicants for licensure, and issuing licenses; and creates the Sign Language Interpreting Practices Fund. (May affect public schools)
- S 1056 APPROVAL FOR USE OF CERTAIN EDUCATION FUNDS, *Tsosie* — amends the Public School Finance Act to require school districts to obtain approval of the district’s Indian Education Committee before spending any federal funds that the district receives that are generated by students who reside on Indian reservations or tribal lands.
- S 1058a PUBLIC EMPLOYEE COLLECTIVE BARGAINING, *Lopez* — amends the Public Employee Bargaining Act to allow a public employer and an exclusive representative to reach an agreement that conflicts with state law provided that the provisions of the agreement do not become effective unless the Legislature amends the applicable law; and establishes requirements for an employee’s right to appeal or file a grievance procedure.
- S 1065 ELECTION REQUIREMENTS, *McSorley* — amends sections of and adds new sections to the Election Code affecting counting and canvassing procedures, correction of ballots by disqualified voters, automatic recounts, and calls for new elections in problem areas, among other provisions. (May affect local school board and PEC elections)
- S 1067 CREATE MULTICULTURAL HEALTH OFFICE, *Sanchez,B* — creates the Multicultural Health Office in the Department of Health; creates the Native American Health Advisory Commission, one of whose members is the Secretary of Public Education or designee, and requires the commission to assess, investigate, and make recommendations to the Multicultural Health Office on health issues of Native American populations and the health care systems that serve them; and appropriates \$375,000 from the General Fund to the Department of Health for FY 06 to establish and maintain the multicultural health office.
- S 1077 PUBLIC SCHOOL FINANCE ACT, *Nava* — amends the Public School Finance Act to
CS/S 1077 require all public schools and school districts to use the National Center for Education Statistics chart of accounts for accounting and budgeting, no later than July 1, 2006; and to require the person signing a school district or charter school budget report to PED to certify that the report contains correct classification of expenditures and true reporting of public school funds under the district’s or charter school’s control.
- S 1078 ENLACE PROGRAM AT NM COLLEGES, *Nava* — appropriates funds from the
CS/S 1078 General Fund to certain postsecondary educational institutions for FY 06 to support ENLACE programs: \$400,000 to the UNM Board of Regents; \$400,000 to the NMSU Board of Regents; and \$400,000 to CHE for Santa Fe Community College. [Identical to S 972]
- S 1099 INDIAN EDUCATION IN BUDGET PROCESS, *Tsosie* — amends the Public School Finance Act to prohibit PED from approving the operating budget of a school district with an established Indian Education Committee until the district demonstrates “that involvement of the committee in the budget process was solicited.”

SENATE JOINT RESOLUTIONS

- SJR 5 TAX & REVENUE DEPT. TO FORGIVE LIABILITY, CA, *Jennings* — amends Article 9, Section 14 of the state constitution to permit the state to establish a program that permits the Taxation and Revenue Department to enter into agreements with certain taxpayers to forgive tax liabilities under certain circumstances. (May affect public schools)
- SJR 7 CHARTER SCHOOL LEASE AGREEMENTS, CA, *Boitano* — amends Article 9, Section 11 of the state constitution to allow a school district to enter into a lease-purchase agreement to acquire classrooms and other facilities for charter schools in the district if a majority of qualified electors vote in favor of such debt.
- SJR 12 VOTER APPROVAL OF NEW TAXES, CA, *Adair* — amends Article 4, Section 1 of the state constitution to require voter approval of laws that increase state revenues through the imposition of new taxes or increases in tax rates. (May affect public schools)
- SJR 13 LIMIT STATE EXPENDITURES LIMITS, CA, *Adair* — amends Article 4 of the state constitution to add a new section to limit the Legislature’s ability to increase state expenditures and to provide refunds to the citizens of New Mexico for any state revenues collected in excess of state expenditure limits. (May affect public schools) [Identical to HJR 5]
- SJR 15 PERMANENT SCHOOL FUND DISTRIBUTIONS, CA, *Robinson* — amends Article 12, Section 7 of the state constitution to distribute money from the Permanent School Fund, in FY 07 through FY 12, to Albuquerque Public Schools for a pilot project at two high school clusters to ensure compliance with NCLB and with the federal base realignment and closure plans related to Kirtland Air Force Base.

SENATE JOINT MEMORIALS

- SJM 5 DISABILITIES ACT IMPLEMENTATION FUNDING, *Campos* — requests funding from Congress to assist local governments nationwide with provisions of the American with Disabilities Act.
- SJM 18 PUBLIC RETIREMENT EXPANSION MORATORIUM, *Beffort* — requests a two-year moratorium through December 31, 2006 on proposals to enhance benefits of the PERA and ERA systems so that the true funded status of those systems can be better ascertained. [Identical to HJM 5, which passed]
- SJM 38 SEX OFFENDER REGISTRATION ACT EFFECTIVENESS, *McSorley* — requests that the New Mexico Sentencing Commission conduct a study of the efficacy of New Mexico’s Sex Offender Registration and Notification Act. (May affect public schools)
- SJM 54 PRECAUTIONARY PRINCIPLES IN STATE GOVERNMENT, *Sanchez,B* — requests that the Department of Health establish an interagency precautionary principle task force to identify ways to implement the precautionary principle in New Mexico; and that the task force identify methods to implement the federal Environmental Protection Agency’s program known as “tools for schools” to promote a safe environment for children in the public schools. [Identical to CS/HJM 24]

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- SJM 59 NM COLLEGES FULL & PART-TIME FACULTY STUDY, *McSorley* — requests that CHE convene a best practices task force to examine compensation practices and conditions of employment for part-time faculty at postsecondary schools.
- SJM 60 WORKPLACE READINESS CERTIFICATION STUDY, *Beffort* — requests that the State Workforce Development Board appoint a task force, including among its members public school and higher education workforce training providers, and that the task force work through the Governor’s office to study the feasibility of establishing a certification program in the public schools, one-stop centers, and community colleges.
- SJM 63 BETTER PUBLICIZE SAFE HAVEN FOR INFANTS ACT, *Garcia* — requests that CYFD and PED work together to improve publicity about the Safe Haven for Infants Act.
- SJM 81 EMPLOYMENT OF PERSONS WITH DISABILITIES, *Altamirano* — requests that the Executive Task Force on Disability Employment develop policies, procedures, and guidelines to increase the employment of persons with disabilities in state government. (May affect public schools)
- SJM 96 STUDY SCHOOL DISTRICT DUE PROCESS HEARINGS, *Campos* — requests that the LESC collaborate with school districts and PED to study the costs of the current IDEA-related due process hearing system, to offer strategies to reduce the fiscal impact and increase the efficiency of due process hearings, and to study the coverage of due process hearings provided by NMPSIA.