

**44TH LEGISLATURE - STATE OF NEW MEXICO - 2ND SPECIAL SESSION, 2000**

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THAT A TASK FORCE OF EXPERTS BE APPOINTED TO  
ANALYZE AND RECOMMEND PERMANENT FUNDING OPTIONS FOR THE  
CAPITAL OUTLAY NEEDS OF NEW MEXICO PUBLIC SCHOOLS.

WHEREAS, the constitution of New Mexico guarantees a  
uniform system of free public schools to all children in the  
state; and

WHEREAS, a state district court judge has ruled that the  
current system of funding capital improvements for New  
Mexico's school districts violates the state constitution;  
and

WHEREAS, a continuing permanent revenue stream for  
funding the current and future needs for public school  
capital outlay projects should be established; and

WHEREAS, alternative options for the revenue stream and  
the costs and benefits of each option need to be analyzed;  
and

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1           WHEREAS, in addressing options for public school capital  
2 outlay needs, it may be useful to consider options for the  
3 credits taken for "impact aid" and other local and federal  
4 revenues in the public school equalization formula to find a  
5 more appropriate way to ensure equity in both capital and  
6 operational funding; and

7           WHEREAS, a task force of experts should be appointed for  
8 the purpose of analyzing the funding options and making  
9 recommendations on a permanent revenue stream;

10           NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
11 STATE OF NEW MEXICO that a task force of experts be appointed  
12 to analyze options for providing a continuing funding  
13 mechanism for capital outlay projects needed by public school  
14 districts within New Mexico; and

15           BE IT FURTHER RESOLVED that, for each option, the  
16 analysis include:

17                   (1) any short-term and long-term effects upon the  
18 general fund;

19                   (2) any potential impact upon other capital outlay  
20 needs of the state and its political subdivisions;

21                   (3) any potential impact upon the citizens,  
22 business and future economic development potential of the  
23 state;

24                   (4) consideration of the different property  
25 values, income levels, populations and number of students  
between the various school districts;

                  (5) any potential impact upon the rating of general

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1 obligation bonds, severance tax bonds and other bonds issued  
2 by the state or its political subdivisions; and

3 (6) any potential impact upon the prudence of  
4 future state investments; and

5 BE IT FURTHER RESOLVED that the task force evaluate the  
6 credits taken for "impact aid" and other local and federal  
7 revenues in the public school equalization formula and  
8 analyze options for changes in the formula that would further  
9 the goals of providing additional funds for public school  
10 capital outlay and maintain equity in funding formula; and

11 BE IT FURTHER RESOLVED that the task force be composed  
12 of the dean of the university of New Mexico law school, the  
13 secretary of finance and administration or his designee, the  
14 state investment officer or his designee, the superintendent  
15 of public instruction or his designee, the chairs of the  
16 senate education committee and house education committee, two  
17 public members appointed by the speaker of the house of  
18 representatives who have expertise in education and finance,  
19 two public members appointed by the president pro tempore of  
20 the senate who have expertise in education and finance and  
21 three public members appointed by the governor who have  
22 expertise in education and finance;

23 BE IT FURTHER RESOLVED that the task force be staffed by  
24 the state department of public education, with the assistance  
25 of staff from the department of finance and administration,  
the legislative council service, the legislative education  
study committee and the legislative finance committee;

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1 BE IT FURTHER RESOLVED that the task force report the  
2 results of its analyses and its findings and recommendations  
3 to the governor and the legislature no later than December 1,  
4 2000; and

5 BE IT FURTHER RESOLVED that copies of this memorial be  
6 transmitted to the secretary of finance and administration,  
7 the state investment officer, the superintendent of public  
8 instruction, the state board of education and the director of  
9 the legislative council service.

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