

1 SENATE BILL 63

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Mimi Stewart and James E. Smith

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

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10 AN ACT

11 RELATING TO PUBLIC SCHOOLS; AMENDING THE PUBLIC SCHOOL CODE TO
12 CLARIFY THE USES OF "EDUCATION TECHNOLOGY IMPROVEMENTS" IN THE
13 PUBLIC SCHOOL CAPITAL IMPROVEMENTS ACT AND THE PUBLIC SCHOOL
14 BUILDINGS ACT.

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

17 SECTION 1. Section 22-25-2 NMSA 1978 (being Laws 1975
18 (S.S.), Chapter 5, Section 2, as amended) is amended to read:

19 "22-25-2. DEFINITIONS.--As used in the Public School
20 Capital Improvements Act:

21 A. "program unit" means the product of the program
22 element multiplied by the applicable cost differential factor,
23 as defined in Section 22-8-2 NMSA 1978; and

24 B. "capital improvements" means expenditures,
25 including payments made with respect to lease-purchase

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1 arrangements as defined in the Education Technology Equipment
2 Act or the Public School Lease Purchase Act but excluding any
3 other debt service expenses, for:

4 (1) erecting, remodeling, making additions to,
5 providing equipment for or furnishing public school buildings;

6 (2) purchasing or improving public school
7 grounds;

8 (3) maintenance of public school buildings or
9 public school grounds, including the purchasing or repairing of
10 maintenance equipment and participating in the facility
11 information management system as required by the Public School
12 Capital Outlay Act and including payments under contracts with
13 regional education cooperatives for maintenance support
14 services and expenditures for technical training and
15 certification for maintenance and facilities management
16 personnel, but excluding salary expenses of school district
17 employees;

18 (4) purchasing activity vehicles for
19 transporting students to extracurricular school activities;
20 [~~or~~]

21 (5) purchasing computer software and hardware
22 for student use in public school classrooms; and

23 (6) purchasing and installing education
24 technology improvements, including tools used in the
25 educational process that constitute learning and administrative

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1 resources, and which may also include:

2 (a) satellite, copper and fiber-optic
3 transmission; computer and network connection devices; digital
4 communication equipment, including voice, video and data
5 equipment; servers; switches; portable media devices, such as
6 discs and drives to contain data for electronic storage and
7 playback; and the purchase or lease of software licenses or
8 other technologies and services, maintenance, equipment and
9 computer infrastructure information, techniques and tools used
10 to implement technology in schools and related facilities; and

11 (b) improvements, alterations and
12 modifications to, or expansions of, existing buildings or
13 personal property necessary or advisable to house or otherwise
14 accommodate any of the tools listed in this paragraph."

15 SECTION 2. Section 22-26-2 NMSA 1978 (being Laws 1983,
16 Chapter 163, Section 2, as amended) is amended to read:

17 "22-26-2. DEFINITION.--As used in the Public School
18 Buildings Act, "capital improvements" means expenditures,
19 including payments made with respect to lease-purchase
20 arrangements as defined in the Education Technology Equipment
21 Act but excluding any other debt service expenses, for:

22 A. erecting, remodeling, making additions to,
23 providing equipment for or furnishing public school buildings;

24 B. payments made pursuant to a financing agreement
25 entered into by a school district or a charter school for the

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1 leasing of a building or other real property with an option to
2 purchase for a price that is reduced according to payments
3 made;

4 C. purchasing or improving public school grounds;

5 D. purchasing activity vehicles for transporting
6 students to and from extracurricular school activities;
7 provided that this authorization for expenditure does not apply
8 to school districts with a student MEM greater than sixty
9 thousand; [ø#]

10 E. administering the projects undertaken pursuant
11 to Subsections A and C of this section, including expenditures
12 for facility maintenance software, project management software,
13 project oversight and district personnel specifically related
14 to administration of projects funded by the Public School
15 Buildings Act; provided that expenditures pursuant to this
16 subsection shall not exceed five percent of the total project
17 costs; and

18 F. purchasing and installing education technology
19 improvements, including tools used in the educational process
20 that constitute learning and administrative resources, and
21 which may also include:

22 (1) satellite, copper and fiber-optic
23 transmission; computer and network connection devices; digital
24 communication equipment, including voice, video and data
25 equipment; servers; switches; portable media devices, such as

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1 discs and drives to contain data for electronic storage and
2 playback; and purchase or lease of software licenses or other
3 technologies and services, maintenance, equipment and computer
4 infrastructure information, techniques and tools used to
5 implement technology in schools and related facilities; and
6 (2) improvements, alterations and
7 modifications to, or expansions of, existing buildings or
8 personal property necessary or advisable to house or otherwise
9 accommodate any of the tools listed in this subsection."

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