

FIFTY-THIRD LEGISLATURE  
FIRST SESSION, 2017

SB 344/a

February 13, 2017

Mr. President:

Your **EDUCATION COMMITTEE**, to whom has been referred

**SENATE BILL 344**

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

1. On page 1, line 14, strike "PROGRAMS" and insert in lieu thereof "FUNDS FOR EARLY CHILDHOOD CARE AND EDUCATION SERVICES PROVIDED FOR PRENATAL CARE THROUGH THIRD GRADE AND TO THE PUBLIC SCHOOL STATE EQUALIZATION GUARANTEE DISTRIBUTION TO SUPPLEMENT THE NON-CATEGORICAL DISTRIBUTION".

2. On page 1, line 23, before the period, insert "-- SUPPLEMENTAL PUBLIC SCHOOL STATE EQUALIZATION GUARANTEE DISTRIBUTION".

3. On page 1, strike lines 24 and 25 in their entirety, and on page 2, strikes lines 1 through 7 in their entirety and insert in lieu thereof:

"A. Beginning July 1, 2019 and prior to July 1, 2020, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the public pre-kindergarten fund for early childhood care and education services provided for prenatal care through third grade in an amount equal to one and three-tenths percent of the net receipts attributable to the tax imposed by Section 7-2-3 NMSA 1978.

B. Beginning July 1, 2020, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the public pre-kindergarten fund for early childhood care and education services provided for prenatal care through third grade in an amount equal to two and six-tenths percent of the net receipts attributable to the tax imposed by Section 7-2-3 NMSA 1978.

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C. Beginning July 1, 2019 and prior to July 1, 2020, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the children, youth and families pre-kindergarten fund for early childhood care and education services provided for prenatal care through third grade in an amount equal to one and three-tenths percent of the net receipts attributable to the tax imposed by Section 7-2-3 NMSA 1978.

D. Beginning July 1, 2020, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the children, youth and families pre-kindergarten fund for early childhood care and education services provided for prenatal care through third grade in an amount equal to two and six-tenths percent of the net receipts attributable to the tax imposed by Section 7-2-3 NMSA 1978.

E. Beginning July 1, 2019 and prior to July 1, 2020, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the public school fund for the state equalization guarantee distribution, to supplement the non-categorical distribution, in an amount equal to seven and eight-tenths percent of the net receipts attributable to the tax imposed by Section 7-2-3 NMSA 1978.

F. Beginning July 1, 2020, a distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the public school fund for the state equalization guarantee distribution, to supplement the non-categorical distribution, in an amount equal to five and two-tenths percent of the net receipts attributable to the tax imposed by Section 7-2-3 NMSA 1978."".

4. On page 5, between lines 15 and 16, insert the following new section:

**"SECTION 4.** Section 32A-23-8 NMSA 1978 (being Laws 2005, Chapter 170, Section 8) is amended to read:

**"32A-23-8. FUNDS CREATED--ADMINISTRATION.--**

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A. The "public pre-kindergarten fund" is created as a nonreverting fund in the state treasury. The fund shall consist of appropriations, income from investment of the fund, gifts, grants and donations. The fund shall be administered by the public education department, and money in the fund is appropriated to the department to carry out the provisions of the Pre-Kindergarten Act; provided that the distributions made pursuant to Subsections A and B of Section 1 of this 2017 act shall be used for early childhood care and education services provided for prenatal care through third grade. Disbursements from the fund shall be by warrant of the secretary of finance and administration upon vouchers signed by the secretary of public education or the secretary's authorized representative. The department may use up to ten percent of the money in the fund each year for administrative expenses.

B. The "children, youth and families pre-kindergarten fund" is created as a nonreverting fund in the state treasury. The fund shall consist of appropriations, income from investment of the fund, gifts, grants and donations. The fund shall be administered by the children, youth and families department, and money in the fund is appropriated to the department to carry out the provisions of the Pre-Kindergarten Act; provided that the distributions made pursuant to Subsections C and D of Section 1 of this 2017 act shall be used for early childhood care and education services provided for prenatal care through third grade. Disbursements from the fund shall be by warrant of the secretary of finance and administration upon vouchers signed by the secretary of children, youth and families or the secretary's authorized representative. The department may use up to ten percent of the money in the fund each year for administrative expenses."".

5. Renumber the succeeding sections accordingly.

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6. On page 5, line 23, after "of", strike the remainder of the line and insert in lieu thereof "Sections 1 and 4 of this act is January 1, 2019.".,

and thence referred to the **CORPORATIONS AND TRANSPORTATION COMMITTEE.**

Respectfully submitted,

\_\_\_\_\_  
William P. Soules, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 3 Against

Yes: 5

No: Brandt, Gould, White

Excused: None

Absent: None

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