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SENATE BILL 57

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

GARY DON REAGAN

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; AMENDING AND ENACTING CERTAIN
SECTIONS OF THE PUBLIC SCHOOL FINANCE ACT TO PROVIDE ADDITIONAL
PER MEMBERSHIP FUNDING TO QUALIFYING SCHOOL DISTRICTS.

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

Section 1. Section 22-8-15 NMSA 1978 (being Laws 1967,
Chapter 16, Section 70, as amended by Laws 1993, Chapter 224,
Section 3 and also by Laws 1993, Chapter 227, Section 10) is
amended to read:

"22-8-15. ALLOCATION LIMITATION. --

A. The department shall determine the allocations to
each school district from each of the distributions of the
public school fund, subject to the limits established by law.

B. During the 1996-97 school year, the department
shall distribute ninety-eight percent of all balances

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1 appropriated to the state equalization guarantee distribution
2 pursuant to the provisions of Sections 22-8-18 through 22-8-25
3 NMSA 1978. The department shall retain not less than two
4 percent of the appropriation to the state equalization guarantee
5 distribution for additional distributions made pursuant to
6 Section 22-8-25.2 NMSA 1978.

7 C. During the 1997-98 year, the department shall
8 distribute ninety-six and one-half percent of all balances
9 appropriated to the state equalization guarantee distribution
10 pursuant to the provisions of Sections 22-8-18 through 22-8-25
11 NMSA 1978. The department shall retain not less than three and
12 one-half percent of the appropriation to the state equalization
13 guarantee distribution for additional distributions made
14 pursuant to Section 22-8-25.2 NMSA 1978.

15 D. During the 1998-99 and subsequent school years,
16 the department shall distribute ninety-five percent of all
17 balances appropriated to the state equalization guarantee
18 distribution pursuant to the provisions of Sections 22-8-18
19 through 22-8-25 NMSA 1978. The department shall retain not less
20 than five percent of the appropriation to the state equalization
21 guarantee distribution for additional distributions made
22 pursuant to Section 22-8-25.2 NMSA 1978.

23 ~~[B.]~~ E. The local school board in each ~~[local]~~
24 school district with authorized charter schools shall allocate
25 the appropriate distributions of the public school fund to

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1 individual charter schools pursuant to each charter school's
2 school-based budget approved by the local school board and the
3 department. The local school board may retain an amount not to
4 exceed the school district's administrative cost relevant to
5 that charter school.

6 ~~[C.]~~ F. The local school board in each ~~[local]~~
7 school district with authorized charter schools shall establish
8 an individual charter school account to receive public school
9 fund disbursements for each charter school."

10 Section 2. A new section of the Public School Finance Act,
11 Section 22-8-25.2 NMSA 1978, is enacted to read:

12 "22-8-25.2. [NEW MATERIAL] ADDITIONAL PER PUPIL
13 DISTRIBUTION FROM PUBLIC SCHOOL FUND. --

14 A. After completion of the calculation of the state
15 equalization guarantee distribution pursuant to Sections
16 22-8-18 through 22-8-25 NMSA 1978, the state superintendent
17 shall calculate the net operational expenditure per membership
18 for each school district for the prior school year and determine
19 a statewide average net operational expenditure per membership.

20 B. The state superintendent shall identify those
21 districts expending less than the average operational per
22 membership funding. Those districts expending less than the
23 average operational expenditure per membership shall be entitled
24 to an additional distribution, within the limits of available
25 balances, sufficient to bring each district to not less than:

1 FORTY- SECOND LEGI SLATURE
2 SECOND SESSI ON, 1996

3
4
5 JANUARY 18, 1996

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7 Mr. Presi dent:

8
9 Your COMMI TTEES' COMMI TTEE, to whom has been referred

10
11 SENATE BILL 57

12
13 has had it under consideration and finds same to be GERMANE, PURSUANT
14 TO CONSTITUTIONAL PROVISIONS, and thence referred to the SENATE
15 EDUCATI ON COMMI TTEE.

16
17 Respectfully submi tted,

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22 _____
23 SENATOR MANNY M. ARAGON, Chai rman
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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

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Date _____

The roll call vote was __ For __ Against

Yes:

No:

Excused:

Absent:

S0057CC1

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1 FORTY-SECOND LEGISLATURE

2 SECOND SESSION, 1996

SB 57/a

3
4
5 January 30, 1996

6
7 Mr. President:

8
9 Your EDUCATION COMMITTEE, to whom has been referred

10
11 SENATE BILL 57

12
13 has had it under consideration and reports same WITHOUT
14 RECOMMENDATION, amended as follows:

15
16 1. On page 4, line 1, strike "ninety" and insert in lieu
17 thereof "ninety-five".

18
19 2. On page 4, line 3, strike "ninety-two" and insert in lieu
20 thereof "ninety-six".

21
22 3. On page 4, line 6, strike "ninety-five" and insert in lieu
23 thereof "ninety-eight",

24
25 and thence referred to the FINANCE COMMITTEE.

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

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SEC/SB 57

Page 8

Respectfully submitted,

Carlos R. Cisneros, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 5 For 1 Against

Yes: 5

No: Maloof

Excused: Benavides, Duran, Lyons, Scott

Absent: None

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**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

SEC/SB 57

Page 9

**FORTY- SECOND LEGI SLATURE
SECOND SESSI ON, 1996**

February 2, 1996

Mr. President:

Your FINANCE COMMI TTEE, to whom has been referred

SENATE BILL 57, as amended

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

Respectfully submitted,

Ben D. Altami rano, Chair man

**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

SEC/SB 57

Page 10

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Donisthorpe, Duran, Ingle, Kidd, Kysar

Absent: None

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FORTY-SECOND LEGISLATURE

SECOND SESSION

February 5, 1996

SENATE FLOOR AMENDMENT number _____ to SENATE BILL 57, as amended

Amendment sponsored by Senator Gary Don Reagan

1. On page 4, line 14, after "county" insert "who have a smaller membership than the recipient school district pursuant to regulations of the department".

Gary Don Reagan

111795.1

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FORTY-FIRST LEGISLATURE
SECOND SESSION

SB 57, aa

Page 12

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

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FORTY-SECOND LEGISLATURE

SECOND SESSION

February 6, 1996

SENATE FLOOR AMENDMENT number _____ to SENATE BILL 57, as amended

Amendment sponsored by Senator Carlos R. Cisneros

1. On page 1, line 13, before the period insert "; MAKING AN APPROPRIATION".

2. On page 4, between lines 14 and 15, insert a new section to read:

"Section 3. APPROPRIATION. --Twenty-three million eight hundred nineteen thousand two hundred dollars (\$23,819,200) is appropriated from the general fund to the state department of public education for expenditure in fiscal year 1997 for the purpose of making an additional distribution to those local school districts that receive a reduction in funding as a result of the enactment into law of Senate Bill 57 by the

111867.1

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FORTY-FIRST LEGISLATURE
SECOND SESSION

SB 57, aa

Page 14

second session of the forty-second legislature. Any unexpended or unencumbered balance remaining at the end of fiscal year 1997 shall revert to the general fund."

3. Renumber the succeeding section accordingly.

Carlos R. Cisneros

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

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1 FORTY-SECOND LEGISLATURE
2 SECOND SESSION, 1996

SB 27/a

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5 February 12, 1996

6
7 Mr. President:

8
9 Your FINANCE COMMITTEE, to whom has been referred

10
11 SENATE BILL 57, as amended

12
13 has had it under consideration and reports same with recommendation that
14 it DO PASS, amended as follows:

- 15
16 1. Strike Senate Floor Amendment number 2.

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19 Respectfully submitted,

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23 _____
24 Ben D. Altamirano, Chairman
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**FORTY-SECOND LEGISLATURE
SECOND SESSION, 1996**

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Page 16

Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 9 For 0 Against

Yes: 9

No: 0

Excused: Duran, Ingle, Kidd, Kysar

Absent: None

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