

AN ACT

RELATING TO ECONOMIC DEVELOPMENT; REQUIRING THE ECONOMIC DEVELOPMENT DEPARTMENT TO CONTRACT FOR ELECTRONIC COMMERCE SERVICES TO GENERATE REVENUE FOR THE EDUCATIONAL TECHNOLOGY FUND; AMENDING THE TECHNOLOGY FOR EDUCATION ACT.

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

Section 1. A new section of the Economic Development Department Act is enacted to read:

"FINDINGS--SECRETARY--ADDITIONAL DUTIES.--

A. The legislature finds that:

(1) the state of New Mexico does not support or oppose the establishment on state web sites of an online portal to an electronic commerce marketplace; and

(2) the state of New Mexico does not represent that consumers will pay less or more money when consumers make purchases on state web sites via an online portal to an electronic commerce marketplace.

B. The secretary shall contract with a service that provides for state web sites at no cost an online portal to an electronic commerce marketplace and that pays a rebate to the state on all sales made by businesses in the electronic commerce marketplace when those businesses are contacted through the online portal on the state's web site. Revenues from the rebate shall be deposited in the educational technology fund."

Section 2. Section 22-15A-9 NMSA 1978 (being Laws 1994, Chapter 96, Section 9) is amended to read:

"22-15A-9. EDUCATIONAL TECHNOLOGY FUND--DISTRIBUTION.-

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A. Upon annual review and approval of a school district's educational technology plan, the bureau shall determine a separate distribution from the educational technology fund for each school district.

B. On or before July 31 of each year, the bureau shall distribute money in the educational technology fund directly to each school district in an amount equal to ninety percent of the district's estimated entitlement as determined by the projected membership for the school year. A school district's entitlement is that portion of the total amount of money in the fund as of July 1 that the projected membership bears to the projected membership of the state. Kindergarten membership shall be calculated on a one-half full-time equivalent basis.

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C. On or before January 30 of each year, the bureau shall recompute each entitlement using the final funded membership for that year and shall allocate the balance of the fund as of January 1, adjusting for any over- or under-projection of membership.

D. Any school district receiving funding pursuant to the Technology for Education Act is responsible for the purchase, distribution, use and maintenance of educational technology.

E. As used in this section, "membership" means the total enrollment of qualified students, as defined in the Public School Finance Act, on the current roll of class

or school on a specified day. The current roll is established by the addition of original entries and re-entries minus withdrawals. Withdrawal of students, in addition to students formally withdrawn from the public school, includes students absent from the public school for as many as ten consecutive school days." _____
