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HOUSE BILL 495

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Rick Miera

AN ACT

**RELATING TO EDUCATION; PROVIDING FOR THE REDISTRICTING OF
SCHOOL DISTRICTS; ENACTING A NEW SECTION OF THE PUBLIC SCHOOL
CODE; MAKING AN APPROPRIATION.**

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

**Section 1. A new section of Chapter 22, Article 4 NMSA
1978 is enacted to read:**

" [NEW MATERIAL] SCHOOL DISTRICT--REDISTRICTING. --

**A. A school district with membership that is
greater than thirty-five thousand students shall be required
to redistrict. The state board shall adopt and promulgate
rules setting forth procedures for the redistricting of the
school district.**

**B. A school district found in need of
redistricting by the state board shall have up to three years**

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1 to plan and complete the redistricting. The three years shall
2 commence from the date that the state board formally finds the
3 school district in need of redistricting. During the course
4 of the three years that the school district has to prepare for
5 redistricting, it shall annually report its progress to the
6 state board.

7 C. The state board shall appoint a task force to
8 assist a school district found in need of redistricting. The
9 task force shall assist the school district during the
10 three-year preparation period for redistricting. The task
11 force shall be composed of members from the school district
12 that is being redistricted, the communities where the
13 redistricting is to occur and recognized experts in the area
14 of school district redistricting. The task force shall
15 consider and report on the following to the state board prior
16 to the redistricting of an existing school district:

17 (1) the boundaries of the proposed new school
18 districts;

19 (2) population demographics; district growth
20 patterns; ethnicity; economic levels; family income; and
21 student and adult educational achievement and attainment
22 levels in the proposed new school districts;

23 (3) division of assets, liabilities and
24 indebtedness, including real and personal property, of the
25 existing and proposed school districts;

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1 (4) division of bonded indebtedness and
2 voter-approved mill levies of the existing and proposed school
3 districts;

4 (5) ability of the proposed new school
5 districts to raise operational and capital funding;

6 (6) effects of redistricting on
7 transportation costs on the existing and proposed new school
8 districts; and

9 (7) other considerations impacting
10 redistricting identified by the task force.

11 D. School district and community members of the
12 task force shall receive per diem and mileage pursuant to the
13 provisions of the Per Diem and Mileage Act.

14 E. The department of education may contract for
15 the services of recognized experts in the area of school
16 district redistricting in accordance with the provisions of
17 the Procurement Code. "

18 Section 2. APPROPRIATION. --Two hundred fifty thousand
19 dollars (\$250,000) is appropriated from the general fund to
20 the state department of public education for expenditure in
21 fiscal years 2001 through 2004 to assist in the redistricting
22 of school districts that exceed thirty-five thousand students.
23 Any unexpended or unencumbered balance remaining at the end of
24 fiscal year 2004 shall revert to the general fund.