

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 3
45th LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002
INTRODUCED BY
Rick Miera

AN ACT
RELATING TO EDUCATION; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Section 1. SHORT TITLE. -- This act may be cited as the "Education Appropriation Act".

Section 2. DEFINITIONS. -- As used in the Education Appropriation Act:

A. "federal funds" means any payments by the United States government to state government or state agencies for specific purposes or in lieu of taxes, including grants, reimbursements and payments made in accordance with contracts or cooperative agreements, and shared revenue except those payments made in accordance with the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) and the State and Local Fiscal Assistance Act of 1972 (31 USCA 1221-1264), as amended;

B. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes federal Mineral Lands Leasing Act receipts; and

C. "other state funds" means:

(1) unencumbered nonreverting balances in state agency accounts, other than in

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
internal service funds accounts, appropriated by the Education Appropriation Act;					
(2) all revenue available to state agencies from sources other than the general fund, internal service funds, interagency transfers and federal funds; and					
(3) all revenue, the use of which is restricted by statute or agreement.					
Section 3. FORMAT.--The general format of the appropriations set forth in the Education Appropriation Act with respect to symbols used, column headings and amounts stated are those used in the General Appropriation Act of 2001.					
Section 4. APPROPRIATIONS.--The appropriation for public school support in fiscal year 2003 shall be:					
PUBLIC SCHOOL SUPPORT:					
(1) State equalization guarantee:	1,665,935.3	2,000.0			1,667,935.3
(2) Transportation distributions:					
(a) Operations	80,013.0				80,013.0
(b) School-owned bus replacements	2,997.5				2,997.5
(c) Contractor-owned bus rent fees	13,356.0				13,356.0
Subtotal	96,366.5				96,366.5
(3) Supplemental distributions:					
(a) Out-of-state tuition	993.0				993.0
(b) Emergency	900.0				900.0
(c) Emergency capital outlay	250.0				250.0
Subtotal	2,143.0				2,143.0

The rate of distribution of the state equalization guarantee distribution shall be based on a program unit value determined by the superintendent of public instruction. The

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
superintendent of public instruction shall establish a preliminary unit value to establish budgets for the 2002-2003 school year; and then upon verification of the number of units statewide for fiscal year 2003 but no later than January 31, the superintendent of public instruction may adjust the program unit value.					
For the 2002-2003 school year, the state equalization guarantee contains sufficient funding for districts implementing a formula-based program for the first time. Those districts shall use current year MEM in the calculation of program units for the new formula-based program.					
The general fund appropriation in the state equalization guarantee distribution reflects the deduction of federal revenues pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA 1978 that includes payments commonly known as "impact aid funds" pursuant to 20 USCA 7701 et seq., formerly known as "P.L. 874 funds".					
The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts otherwise unappropriated.					
Any unexpended or unencumbered balance in the distributions authorized remaining at the end of fiscal year 2003 from appropriations made from the general fund shall revert to the general fund.					
INSTRUCTIONAL MATERIAL FUND:	32,000.0				32,000.0
The appropriation to the instructional material fund is made from the federal Mineral Lands Leasing Act (30 USCA 181, et seq.) receipts.					
EDUCATIONAL TECHNOLOGY FUND:	5,000.0				5,000.0
INCENTIVES FOR SCHOOL IMPROVEMENT FUND:	1,900.0				1,900.0
FEDERAL FLOW THROUGH:				329,477.6	329,477.6

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 TOTAL PUBLIC SCHOOL SUPPORT:	1, 803, 344. 8	2, 000. 0		329, 477. 6	2, 134, 822. 4
2 ADULT BASIC EDUCATION FUND:	5, 000. 0				5, 000. 0
3 STATE DEPARTMENT OF PUBLIC EDUCATION:					
4 (1) Administration:					
5 (a) Personal services					
6 and employee benefits	8, 059. 1	193. 5	103. 8	4, 877. 9	13, 234. 3
7 (b) Contractual services	371. 9	55. 0	200. 0	2, 197. 8	2, 824. 7
8 (c) Other	855. 6	342. 1	2, 186. 9	1, 440. 3	4, 824. 9
9 (d) Other financing uses	34. 4	0. 1	0. 1	162. 1	196. 7
10 Authorized FTE: 175. 2 Permanent; 80. 0 Term; 0. 2 Temporary					
11 Subtotal	9, 321. 0	590. 7	2, 490. 8	8, 678. 1	21, 080. 6
12 The general fund appropriation to the state department of public education includes three					
13 hundred fourteen thousand nine hundred dollars (\$314, 900) from federal Mineral Lands Leasing					
14 Act (30 USCA 181, et seq.) receipts.					
15 Unexpended or unencumbered balances in the state department of public education remaining					
16 at the end of fiscal year 2003 from appropriations made from the general fund shall not revert.					
17 (2) Apprenticeship assistance:	650. 0				650. 0
18 STATE DEPARTMENT OF PUBLIC EDUCATION SPECIAL APPROPRIATIONS:					
19 (a) Charter schools stimulus					
20 fund	500. 0				500. 0
21 (b) Beginning teacher					
22 induction and mentorship	1, 000. 0				1, 000. 0
23 (c) Improve student performance					
24 and strengthening					
25 quality schools	600. 0				600. 0

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
REGIONAL EDUCATION COOPERATIVES:					
(1) Central		1,910.8		2,060.2	3,971.0
(2) High Plains		1,327.7		3,006.7	4,334.4
(3) Region 9		235.0		4,477.2	4,712.2

Section 5. SEVERABILITY.--If any part or application of this act is held invalid, the remainder or its application to other situations or persons shall not be affected.

Section 6. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.