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HOUSE BILL 275

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Joseph Cervantes

AN ACT

**RELATING TO EDUCATION; CREATING THE PUBLIC SCHOOL CODE REVIEW
TASK FORCE; REPEALING THE PUBLIC SCHOOL CODE AND OTHER
SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION.**

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

**Section 1. TEMPORARY PROVISION--PUBLIC SCHOOL CODE
REVIEW TASK FORCE CREATED. --**

**A. The "Public School Code review task force" is
created, composed of sixteen members appointed as follows:**

**(1) three members, including two principals
and one teacher from New Mexico public schools, appointed by
the speaker of the house of representatives;**

**(2) two members, including one principal and
one teacher from New Mexico public schools, appointed by the
minority leader of the house of representatives;**

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1 (3) three members, including two principals
2 and one teacher from New Mexico public schools, appointed by
3 the president pro tempore of the senate;

4 (4) two members, including one principal and
5 one teacher from New Mexico public schools, appointed by the
6 minority leader of the senate;

7 (5) one member of the governor's staff
8 appointed by the governor;

9 (6) one member of the business community, who
10 is not employed in education services, appointed by the
11 governor;

12 (7) one school parent, who is not employed in
13 education services, appointed by the governor;

14 (8) two school district superintendents
15 appointed by the state superintendents association; and

16 (9) one member appointed by the state board
17 of education.

18 B. A vacancy on the task force shall be filled by
19 appointment and in the same manner as the vacant seat was
20 originally filled. All members of the task force shall be
21 appointed by July 31, 2002 and shall be appointed so as to
22 represent the geographic and cultural diversity of the state.

23 C. The state department of public education shall
24 staff the task force.

25 D. The members of the task force may receive per

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1 diem and mileage as provided in the Per Diem and Mileage Act,
2 but shall receive no other compensation, perquisite or
3 allowance.

4 E. The task force shall function from the date of
5 its appointment until December 31, 2003.

6 F. The task force shall initially hold an
7 organizational meeting to select a chairman and to develop a
8 work plan. Thereafter, the task force shall meet as necessary
9 to carry out its duties as provided in this section.

10 G. The task force shall conduct a review of the
11 Public School Code and state board of education rules
12 governing primary and secondary education in New Mexico to
13 identify those statutes and rules that unnecessarily burden
14 administrators and teachers at the school site, and that
15 prevent administrators and teachers at the school site from
16 effectively performing their roles as instructional leaders
17 and educators.

18 H. The task force shall present its findings and
19 recommendations for an efficient and effective Public School
20 Code no later than December 31, 2003 to the state board of
21 education, the governor, the legislative education study
22 committee and the legislature for replacement of the existing
23 Public School Code.

24 Section 2. APPROPRIATION.--Twenty thousand dollars
25 (\$20,000) is appropriated from the general fund to the state

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1 department of public education for expenditure in fiscal years
2 2003 and 2004 to provide per diem and mileage for the members
3 of the Public School Code review task force. Any unexpended
4 or unencumbered balance remaining at the end of fiscal year
5 2004 shall revert to the general fund.

6 Section 3. REPEAL. --

7 A. Sections 22-1-1 through 22-1-8 NMSA 1978 (being
8 Laws 1967, Chapter 16, Section 1, Laws 1986, Chapter 33,
9 Section 1, Laws 1967, Chapter 16, Section 2, Laws 1985,
10 Chapter 21, Section 2, Laws 1967, Chapter 16, Section 3, Laws
11 1975, Chapter 338, Section 1, Laws 1989, Chapter 308, Section
12 1, Laws 1989, Chapter 344, Section 2 and Laws 1993, Chapter
13 166, Section 1, as amended) are repealed.

14 B. Sections 22-2-1 through 22-2-19 NMSA 1978
15 (being Laws 1990 (1st S.S.), Chapter 9, Section 10, Laws 1967,
16 Chapter 16, Sections 5 through 9, Laws 1986, Chapter 94,
17 Sections 1 through 9, Laws 1989, Chapter 373, Section 5, Laws
18 2000 (2nd S.S.), Chapter 14, Sections 1 and 2, Laws 1967,
19 Chapter 16, Sections 10 and 11, Laws 1986, Chapter 33,
20 Sections 2 through 8, Laws 1999, Chapter 193, Section 1, Laws
21 2001, Chapter 165, Section 1, Laws 2001, Chapter 287, Section
22 1, Laws 1967, Chapter 16, Sections 12 and 13, Laws 1975 (1st
23 S.S.), Chapter 8, Sections 1 through 3, Laws 1978, Chapter
24 129, Sections 1 through 3, Laws 1993, Chapter 168, Sections 1
25 and 2 and Laws 2000, Chapter 107, Section 3, as amended) are

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1 repealed.

2 C. Sections 22-2B-1 through 22-2B-5 NMSA 1978
3 (being Laws 1993, Chapter 232, Sections 1 through 5, as
4 amended) are repealed.

5 D. Sections 22-3-37 through 22-3-54 NMSA 1978
6 (being Laws 1991 (1st S.S.), Chapter 4, Sections 1 through 18)
7 are repealed.

8 E. Sections 22-4-1 through 22-4-18 NMSA 1978
9 (being Laws 1967, Chapter 16, Sections 14 through 16, Laws
10 1970, Chapter 4, Section 2, Laws 1967, Chapter 16, Sections 17
11 through 22, Laws 1970, Chapter 4, Section 3, Laws 1967,
12 Chapter 16, Sections 23 through 26, Laws 1955, Chapter 76,
13 Section 1 and Laws 1977, Chapter 213, Sections 1 and 2, as
14 amended) are repealed.

15 F. Sections 22-4A-1 through 22-4A-3 NMSA 1978
16 (being Laws 1987, Chapter 191, Sections 1 through 3) are
17 repealed.

18 G. Sections 22-5-1 through 22-5-12 NMSA 1978
19 (being Laws 1967, Chapter 16, Section 27, Laws 1985, Chapter
20 202, Section 1, Laws 1969, Chapter 103, Section 2, Laws 1981,
21 Chapter 302, Section 1, Laws 1967, Chapter 16, Section 28,
22 Laws 1985, Chapter 94, Section 1, Laws 1986, Chapter 33,
23 Section 9, Laws 1985, Chapter 180, Section 1, Laws 1986,
24 Chapter 33, Section 11, Laws 1990, Chapter 52, Section 3, Laws
25 1995, Chapter 47, Section 1, Laws 1999, Chapter 219, Section

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1 19, Laws 1967, Chapter 16, Section 29, Laws 1971, Chapter 199,
2 Section 1, Laws 1967, Chapter 16, Sections 30 through 32, Laws
3 1979, Chapter 335, Section 7, Laws 1967, Chapter 16, Section
4 33, Laws 1986, Chapter 33, Section 12 and Laws 1967, Chapter
5 131, Section 1, as amended) are repealed.

6 H. Sections 22-7-1 through 22-7-16 NMSA 1978
7 (being Laws 1977, Chapter 308, Sections 1 through 9, Laws
8 1987, Chapter 142, Section 2 and Laws 1977, Chapter 308,
9 Sections 10 and 12 through 16, as amended) are repealed.

10 I. Sections 22-8-1 through 22-8-42 NMSA 1978
11 (being Laws 1967, Chapter 16, Section 55, Laws 1978, Chapter
12 128, Section 3, Laws 1988, Chapter 64, Section 14, Laws 1967,
13 Chapter 16, Sections 58 through 60, Laws 1993, Chapter 227,
14 Section 8, Laws 1967, Chapter 16, Section 61, Laws 1993,
15 Chapter 224, Section 1, Laws 1967, Chapter 16, Sections 62,
16 63 and 65 through 67, Laws 1978, Chapter 128, Section 5, Laws
17 1974, Chapter 8, Section 3, Laws 1967, Chapter 16, Sections 69
18 through 71, Laws 1974, Chapter 8, Sections 7 through 9, Laws
19 1992, Chapter 83, Section 1, Laws 1991, Chapter 85, Section 3,
20 Laws 1974, Chapter 8, Sections 11 and 13, Laws 1975, Chapter
21 119, Section 1, Laws 1990 (1st S.S.), Chapter 3, Section 7,
22 Laws 1993, Chapter 237, Section 2, Laws 1997, Chapter 40,
23 Section 7, Laws 1974, Chapter 8, Section 15, Laws 1981,
24 Chapter 176, Section 5, Laws 1985 (1st S.S.), Chapter 15,
25 Section 17, Laws 1967, Chapter 16, Sections 76 through 78,

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1 Laws 1995, Chapter 208, Sections 10, 13 and 15, Laws 1974,
2 Chapter 8, Section 17, Laws 1995, Chapter 56, Sections 1 and
3 2, Laws 1967, Chapter 16, Sections 84, 86, 89, 90 and 93
4 through 97, Laws 1977, Chapter 136, Section 2, Laws 1981,
5 Chapter 341, Section 1 and Laws 1967, Chapter 16, Sections 99
6 and 100, as amended) are repealed.

7 J. Sections 22-8B-1 through 22-8B-15 NMSA 1978
8 (being Laws 1999, Chapter 281, Sections 1 through 4, Laws
9 2000, Chapter 82, Section 3 and Laws 1999, Chapter 281,
10 Sections 5 through 15, as amended) are repealed.

11 K. Sections 22-8C-1 through 22-8C-7 NMSA 1978
12 (being Laws 1999, Chapter 293, Sections 1 through 7) are
13 repealed.

14 L. Sections 22-9-1 through 22-9-16 NMSA 1978
15 (being Laws 1967, Chapter 16, Sections 101 through 105, Laws
16 1976, Chapter 21, Section 1, Laws 1939, Chapter 162, Sections
17 2 through 6 and 9 and Laws 1955, Chapter 135, Sections 1
18 through 4, as amended) are repealed.

19 M Sections 22-10-1 through 22-10-27 NMSA 1978
20 (being Laws 1975, Chapter 306, Sections 1 through 3, Laws
21 1986, Chapter 33, Section 18, Laws 1988, Chapter 48, Section
22 1, Laws 1997, Chapter 238, Sections 1 and 2, Laws 1999,
23 Chapter 249, Sections 1 and 2, Laws 1967, Chapter 16, Section
24 107, Laws 1997, Chapter 238, Section 6, Laws 1967, Chapter 16,
25 Section 108, Laws 1973, Chapter 135, Section 1, Laws 1967,

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1 Chapter 16, Sections 109 through 115, Laws 1986, Chapter 33,
2 Sections 22 and 23, Laws 1967, Chapter 16, Section 118, Laws
3 1986, Chapter 33, Sections 24 and 25, Laws 1967, Chapter 16,
4 Sections 120, 123 and 124, Laws 1969, Chapter 116, Sections 1
5 and 3 through 5 and Laws 1994, Chapter 95, Section 1, as
6 amended) are repealed.

7 N. Sections 22-11-1 through 22-11-53 NMSA 1978
8 (being Laws 1967, Chapter 16, Sections 125 through 129, Laws
9 1999, Chapter 153, Section 2, Laws 1967, Chapter 16, Sections
10 130 through 140, Laws 1999, Chapter 290, Section 1, Laws 1967,
11 Chapter 16, Section 141, Laws 1971, Chapter 73, Section 1,
12 Laws 1967, Chapter 16, Section 142, Laws 1979, Chapter 316,
13 Section 1, Laws 1993, Chapter 232, Section 9, Laws 1967,
14 Chapter 16, Section 144, Laws 1983, Chapter 91, Section 1,
15 Laws 1995, Chapter 148, Section 2, Laws 1998, Chapter 38,
16 Section 1, Laws 1967, Chapter 16, Section 145, Laws 1981,
17 Chapter 293, Section 2, Laws 1967, Chapter 16, Sections 147
18 and 148, Laws 2001, Chapter 283, Section 2, Laws 1967, Chapter
19 16, Sections 149 through 153, Laws 1999, Chapter 274, Section
20 1, Laws 1979, Chapter 333, Section 2, Laws 1967, Chapter 16,
21 Sections 155 through 163 and 165 through 168, Laws 1991,
22 Chapter 118, Sections 5 through 10 and Laws 1998, Chapter 38,
23 Section 2, as amended) are repealed.

24 O. Sections 22-12-1 through 22-12-8 NMSA 1978
25 (being Laws 1967, Chapter 16, Sections 169 and 170, Laws 1986,

1 Chapter 33, Section 27, Laws 1971, Chapter 238, Section 1,
2 Laws 1978, Chapter 211, Section 10, Laws 1967, Chapter 16,
3 Sections 172, 174 and 175 and Laws 1985, Chapter 104, Section
4 1, as amended) are repealed.

5 P. Sections 22-13-1 through 22-13-25 NMSA 1978
6 (being Laws 1967, Chapter 16, Section 180, Laws 1973, Chapter
7 357, Section 1, Laws 2001, Chapter 168, Section 1, Laws 1972,
8 Chapter 95, Sections 1 and 2, Laws 1994, Chapter 25, Section
9 2, Laws 1972, Chapter 95, Sections 3 and 4, Laws 1967, Chapter
10 16, Sections 183 through 190 and Laws 2001, Chapter 70,
11 Section 1, as amended) are repealed.

12 Q. Sections 22-13A-1 through 22-13A-6 NMSA 1978
13 (being Laws 1989, Chapter 137, Sections 1 through 6, as
14 amended) are repealed.

15 R. Sections 22-14-1 through 22-14-30 NMSA 1978
16 (being Laws 1967, Chapter 16, Sections 191 through 199, Laws
17 1983, Chapter 60, Section 1, Laws 1967, Chapter 16, Sections
18 200 through 202 and 204, Laws 1971, Chapter 324, Section 5,
19 Laws 1953, Chapter 163, Sections 1 through 3, Laws 1957,
20 Chapter 180, Sections 1 through 5 and Laws 1971, Chapter 324,
21 Section 4, as amended) are repealed.

22 S. Sections 22-15-1 through 22-15-25 NMSA 1978
23 (being Laws 1967, Chapter 16, Sections 205 through 218, Laws
24 1981, Chapter 29, Sections 1 through 6 and Laws 1993, Chapter
25 156, Sections 1 through 5, as amended) are repealed.

1 T. Sections 22-15A-1 through 22-15A-10 NMSA 1978
2 (being Laws 1994, Chapter 96, Sections 1 through 10, as
3 amended) are repealed.

4 U. Sections 22-15B-1 and 22-15B-2 NMSA 1978 (being
5 Laws 1999, Chapter 234, Sections 1 and 2) are repealed.

6 V. Sections 22-16-1 through 22-16-11 NMSA 1978
7 (being Laws 1967, Chapter 16, Sections 219 through 222, 224,
8 226 and 227, Laws 1975, Chapter 79, Section 1 and Laws 1978,
9 Chapter 35, Section 469, as amended) are repealed.

10 W. Sections 22-17-1 through 22-17-4 NMSA 1978
11 (being Laws 1974, Chapter 38, Sections 1 through 4, as
12 amended) are repealed.

13 X. Sections 22-18-1 through 22-18-12 NMSA 1978
14 (being Laws 1967, Chapter 16, Sections 228, 229, 231, 232 and
15 234 through 239, as amended) are repealed.

16 Y. Sections 22-18A-1 through 22-18A-5 NMSA 1978
17 (being Laws 1989, Chapter 134, Sections 1 through 5) are
18 repealed.

19 Z. Sections 22-18B-1 through 22-18B-5 NMSA 1978
20 (being Laws 1999, Chapter 225, Sections 1 through 5) are
21 repealed.

22 AA. Sections 22-19-1 through 22-19-16 NMSA 1978
23 (being Laws 1967, Chapter 16, Sections 240 through 255) are
24 repealed.

25 BB. Sections 22-20-1 through 22-20-4 NMSA 1978

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1 (being Laws 1967, Chapter 16, Sections 270 through 272 and
2 Laws 2001, Chapter 338, Section 4, as amended) are repealed.

3 CC. Section 22-21-1 NMSA 1978 (being Laws 1967,
4 Chapter 16, Section 282, as amended) is repealed.

5 DD. Sections 22-22-1 through 22-22-6 NMSA 1978
6 (being Laws 1972, Chapter 16, Sections 1 through 6, as
7 amended) are repealed.

8 EE. Sections 22-23-1 through 22-23-6 NMSA 1978
9 (being Laws 1973, Chapter 285, Sections 1 through 6, as
10 amended) are repealed.

11 FF. Sections 22-24-1 through 22-24-8 NMSA 1978
12 (being Laws 1975, Chapter 235, Sections 1 through 4, Laws
13 2001, Chapter 338, Sections 6 and 7, Laws 1975, Chapter 235,
14 Section 5, Laws 2001, Chapter 338, Section 9, Laws 2001,
15 Chapter 328, Section 3, Laws 1975, Chapter 235, Section 6 and
16 Laws 2001, Chapter 338, Sections 12 and 13, as amended) are
17 repealed.

18 GG. Sections 22-25-1 through 22-25-10 NMSA 1978
19 (being Laws 1975 (S.S.), Chapter 5, Sections 1 through 10, as
20 amended) are repealed.

21 HH. Sections 22-26-1 through 22-26-8 NMSA 1978
22 (being Laws 1983, Chapter 163, Sections 1 through 8, as
23 amended) are repealed.

24 II. Sections 22-27-1 through 22-27-3 NMSA 1978
25 (being Laws 1995, Chapter 72, Sections 1 through 3) are

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repealed.

JJ. Sections 22-28-1 through 22-28-6 NMSA 1978
(being Laws 1997, Chapter 233, Sections 3 through 8) are
repealed.

KK. Sections 22A-1-1 through 22A-1-5 NMSA 1978
(being Laws 1989, Chapter 113, Sections 1 through 5) are
repealed.

Section 4. EFFECTIVE DATE. --The effective date of the
provisions of Sections 1 and 2 of this act is July 1, 2002.
The effective date of the provisions of Section 3 of this act
is July 1, 2004.