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HOUSE BILL 3
47th LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005
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
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1 internal service funds accounts, appropriated by the Education Appropriation Act;

2 (2) all revenue available to state agencies from sources other than the general
3 fund, internal service funds, interagency transfers and federal funds; and

4 (3) all revenue, the use of which is restricted by statute or agreement.

5 Section 3. FORMAT. --The general format of the appropriations set forth in the Education
6 Appropriation Act with respect to symbols used, column headings and amounts stated are those used
7 in the General Appropriation Act of 2005.

8 Section 4. APPROPRIATIONS. --The appropriation for public school support in fiscal year 2006
9 shall be:

10 PUBLIC SCHOOL SUPPORT:

11 (1) State equalization guarantee: 1,962,526.8 1,300.0 1,963,826.8

12 (2) Transportation distributions:

13 Appropriations: 100,053.1 100,053.1

14 The general fund appropriation to the transportation distribution includes sufficient funds
15 for a one and one-quarter percent salary increase for transportation employees effective July 1,
16 2005.

17 (3) Supplemental distributions:

18 (a) Out-of-state tuition 380.0 380.0

19 (b) Emergency 2,000.0 2,000.0

20 Subtotal 2,380.0 2,380.0

21 The rate of distribution of the state equalization guarantee distribution shall be based on
22 a program unit value determined by the secretary of public education. The secretary shall
23 establish a preliminary unit value to establish budgets for the 2005-2006 school year; and then
24 upon verification of the number of units statewide for fiscal year 2006 but no later than January
25 31, 2006, the secretary of public education may adjust the program unit value.

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
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1 The general fund appropriation for the state equalization guarantee distribution contains
2 sufficient funding to provide a one and one-quarter percent salary increase for teachers, except
3 those receiving salary increases from minimum salary requirements of three-tiered licensure,
4 other instructional staff, and other certified staff and noncertified staff, effective July 1,
5 2005.

6 The general fund appropriation for the state equalization guarantee distribution contains
7 sufficient funding to provide a three-quarter percent increase in the employer contribution to
8 the education retirement fund.

9 For the 2005-2006 school year, the state equalization guarantee distribution contains
10 sufficient funding for school districts implementing a formula-based program for the first time.
11 Those districts shall use current year membership in the calculation of program units for the new
12 formula-based program.

13 The general fund appropriation in the state equalization guarantee distribution reflects the
14 deduction of federal revenues pursuant to Paragraph (2) of Subsection C of Section 22-8-25 NMSA
15 1978 that includes payments commonly known as "impact aid funds" pursuant to 20 USCA 7701 et
16 seq., formerly known as "P.L. 874 funds".

17 The general fund appropriation to the public school fund shall be reduced by the amounts
18 transferred to the public school fund from the current school fund and from the federal Mineral
19 Lands Leasing Act (30 USCA 181, et seq.) receipts otherwise unappropriated.

20 Any unexpended or unencumbered balance in the distributions authorized remaining at the end
21 of fiscal year 2006 from appropriations made from the general fund shall revert to the general
22 fund.

23 INSTRUCTIONAL MATERIAL FUND: 32,324.8 32,324.8

24 The appropriation to the instructional material fund is made from the federal Mineral Lands
25 Leasing Act (30 USCA 181, et seq.) receipts.

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
1 EDUCATIONAL TECHNOLOGY FUND:	5,000.0				5,000.0
2 INCENTIVES FOR SCHOOL IMPROVEMENT					
3 FUND:	1,600.0				1,600.0
4 FEDERAL FLOW THROUGH:				352,000.0	352,000.0
5 TOTAL PUBLIC SCHOOL SUPPORT:	2,103,884.7	1,300.0		352,000.0	2,457,184.7
6 PUBLIC EDUCATION DEPARTMENT:					

7 The purpose of public school support is to carry out the mandate to establish and maintain a
8 uniform system of free public schools sufficient for the education of and open to all children of
9 school age in the state.

10 Performance measures:

- 11 (a) Outcome: Percent of fourth grade students who achieve proficiency or above on the
12 criterion referenced assessments in reading/language arts 61%
- 13 (b) Outcome: Percent of eight grade students who achieve proficiency or above on the
14 criterion referenced assessments in reading/language arts 65%
- 15 (c) Outcome: Percent of fourth grade students who achieve proficiency or above on the
16 criterion referenced assessments in mathematics 67%
- 17 (d) Outcome: Percent of eighth grade students who achieve proficiency or above on the
18 criterion referenced assessments in mathematics 62%
- 19 (e) Quality: Percent of classes being taught by "highly qualified" teachers in high-
20 poverty schools 90%
- 21 (f) Quality: Percent of classes being taught by "highly qualified" teachers in all
22 schools across the state 92%
- 23 (g) Quality: Percent of stakeholders who rate their involvement with public elementary
24 schools as positive 91%
- 25 (h) Quality: Percent of stakeholders who rate their involvement with public middle

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
schools as positive					88%
(i) Quality: Percent of stakeholders who rate their involvement with public high schools as positive					85%
Subtotal					1,943,406.4
(1) Administration:					
(a) Personal services and employee benefits	10,378.7	253.6	0.0	6,795.5	17,427.8
(b) Contractual services	351.6	57.2	0.0	8,666.8	9,075.6
(c) Other	905.9	360.9	0.0	1,193.7	2,460.5
(d) Other financing uses	0.0		0.0	288.5	288.5
Subtotal	11,636.2	671.7	0.0	16,944.5	29,252.4
Authorized FTE: 197.2 Permanent; 94.0 Term 94.0 Temporary 2.6					
(2) Apprenticeship assistance:	650.0				650.0
PUBLIC EDUCATION DEPARTMENT SPECIAL APPROPRIATIONS:					
(a) Beginning teacher induction and mentorship	900.0				900.0
(b) Family and youth services	1,800.0				1,800.0
(c) Advanced placement	381.6				381.6
(d) Teacher loan for service	386.5				386.5
(e) Indian Education Act	2,500.0				2,500.0
(f) Kindergarten plus	100.0				100.0
Subtotal	6,068.1				6,068.1
The appropriation for family and youth services shall be to fund programs pursuant to the Family and Youth Resource Act. The appropriation for teacher loan for services shall be transferred to the commission on higher education.					

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total
REGIONAL EDUCATION COOPERATIVES:					
(1) Central 5 (Albuquerque)		2,000.0		2,006.0	4,006.0
(2) High Plains 3 (Raton)		1,571.0		1,741.0	3,312.0
(3) Region 9 (Ruidoso)		2,059.0		5,189.0	7,248.0
(4) Northwest 2 (Gallina)		0.0		1,593.0	1,593.0
(5) Northeast 4 (Las Vegas)		125.0		2,165.0	2,290.0
(6) Region 6 (Clovis)		100.0		1,417.0	1,517.0
(7) Lea #7 (Hobbs)		0.0		3,378.0	3,378.0
(8) Pecos Valley 8 (Artesia)		1,929.0		2,328.0	4,257.0
(9) Southwest 10 (Truth or Consequences)		500.0		4,000.0	4,500.0
Subtotal		8,284.0		23,817.0	32,101.0

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.