

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR  
SENATE BILL 1099

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;  
REQUIRING THAT INDIAN EDUCATION COMMITTEE INVOLVEMENT IN THE  
BUDGET PROCESS BE SOLICITED.

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

Section 1. Section 22-8-11 NMSA 1978 (being Laws 1967,  
Chapter 16, Section 66, as amended) is amended to read:

"22-8-11. BUDGETS--APPROVAL OF OPERATING BUDGET.--

A. The department shall:

(1) on or before July 1 of each year, approve  
and certify to each local school board an operating budget for  
use by the local school board; and

(2) make corrections, revisions and amendments  
to the operating budgets fixed by the local school boards and  
the ~~[state superintendent]~~ secretary to conform the budgets to

.157968.1

underscored material = new  
[bracketed material] = delete

1 the requirements of law and to the department's rules and  
2 procedures.

3 B. No local school board or officer or employee of  
4 a school district shall make any expenditure or incur any  
5 obligation for the expenditure of public funds unless that  
6 expenditure or obligation is made in accordance with an  
7 operating budget approved by the department. This prohibition  
8 does not prohibit the transfer of funds pursuant to the  
9 department's rules and procedures.

10 C. The department shall not approve and certify an  
11 operating budget of any school district that fails to  
12 demonstrate that parental involvement in the budget process was  
13 solicited. School districts in which an Indian education  
14 committee is established pursuant to federal law shall also  
15 demonstrate that involvement of the committee in the budget  
16 process was solicited."