

AN ACT

RELATING TO EDUCATION; MAKING THE PUBLIC EDUCATION COMMISSION THE GOVERNING AUTHORITY AND SOLE STATE AGENCY FOR THE SUPERVISION OF THE STATE PLAN RELATING TO VOCATIONAL EDUCATION.

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

Section 1. Section 22-14-2 NMSA 1978 (being Laws 1967, Chapter 16, Section 192) is amended to read:

"22-14-2. VOCATIONAL EDUCATION--STATE GOVERNING AUTHORITY.--

A. The commission is the governing authority and shall establish policies for the conduct of all programs of the state and state plans established relating to vocational education unless otherwise provided by law.

B. The commission is the sole agency of the state for the administration or for the supervision of the administration of any state plan relating to vocational education or for any federal aid funds, except as may otherwise be provided by law.

C. The commission may delegate to the department its administrative functions relating to vocational education."

Section 2. A new section of the Public School Code, Section 22-14-2.1 NMSA 1978, is enacted to read:

"22-14-2.1. VOCATIONAL REHABILITATION--STATE GOVERNING AUTHORITY.--

A. The department is the governing authority and shall establish policies for the conduct of all programs of the state and state plans established relating to vocational rehabilitation, unless otherwise provided by law.

B. The department is the sole agency of the state for the administration or for the supervision of the administration of any state plan relating to vocational rehabilitation, or for any federal aid funds, except as may otherwise be provided by law."

Section 3. Section 22-14-3 NMSA 1978 (being Laws 1967, Chapter 16, Section 193) is amended to read:

"22-14-3. STATE AGENCY FOR VOCATIONAL EDUCATION-- AUTHORITY.-- The commission is the sole agency of the state for the supervision of the administration of federal aid funds relating to vocational education. The commission may:

A. enter into an agreement with the appropriate federal agency to procure for the state the benefits of the federal statute;

B. establish a state plan, if required by the federal statute, that meets the requirements of the federal statute to qualify the state for the benefits of the federal statute;

C. provide for reports to be made to the federal

agency as may be required;

D. provide for reports to be made to the commission or the department from agencies receiving federal aid funds;

E. make surveys and studies in cooperation with other agencies to determine the needs of the state in the areas where the federal aid funds are to be applied;

F. establish standards to which agencies must conform in receiving federal aid funds;

G. give technical advice and assistance to any agency in connection with that agency obtaining federal aid funds;

H. coordinate as required by the federal agency with the state workforce development board; and

I. as required by the federal agency, make available a list of all school dropout, post-secondary and adult programs assisted pursuant to the state plan."

Section 4. A new section of the Public School Code, Section 22-14-3.1 NMSA 1978, is enacted to read:

"22-14-3.1. STATE AGENCY FOR VOCATIONAL REHABILITATION--AUTHORITY.--The department is the sole agency of the state for the administration or the supervision of the administration of any federal aid funds pertaining to vocational rehabilitation. The department may:

A. enter into an agreement with the appropriate

federal agency to procure for the state the benefits of the federal statute;

B. establish a state plan, if required by the federal statute, that meets the requirements of the federal statute to qualify the state for the benefits of the federal statute;

C. provide for reports to be made to the federal agency as may be required;

D. provide for reports to be made to the department from agencies receiving federal aid funds;

E. make surveys and studies in cooperation with other agencies to determine the needs of the state in the areas where the federal aid funds are to be applied;

F. establish standards to which agencies must conform in receiving federal aid funds; and

G. give technical advice and assistance to any agency in connection with that agency obtaining federal aid funds."

Section 5. Section 22-14-5 NMSA 1978 (being Laws 1967, Chapter 16, Section 195, as amended) is amended to read:

"22-14-5. INSTRUCTIONAL SUPPORT AND VOCATIONAL EDUCATION DIVISION--POWERS--DUTIES.--Subject to the policies of the commission, the instructional support and vocational education division of the department shall:

A. provide vocational education to qualified

persons;

B. act as the representative of the commission in administering any state plan or federal aid funds relating to vocational education;

C. cooperate and make agreements with public or private agencies to establish or to maintain a vocational education program;

D. enter into reciprocal agreements with other states to provide vocational education;

E. accept gifts or grants to be used for vocational education;

F. enforce rules for the administration of laws relating to vocational education; and

G. conduct research and compile statistics relating to vocational education."

Section 6. Section 22-14-7 NMSA 1978 (being Laws 1967, Chapter 16, Section 196) is amended to read:

"22-14-7. VOCATIONAL REHABILITATION DIVISION--  
DIRECTOR.--

A. The "vocational rehabilitation division" is created within the department.

B. The secretary shall appoint a director of the vocational rehabilitation division to be known as the "director of vocational rehabilitation"."

Section 7. Section 22-14-9 NMSA 1978 (being Laws 1967,

Chapter 16, Section 198) is amended to read:

"22-14-9. CUSTODY OF FUNDS--BUDGETS--DISBURSEMENTS.--

A. The state treasurer shall be the custodian of all federal aid funds. The state treasurer shall hold these funds in separate accounts according to the purposes of the funds.

B. All state funds, federal aid funds or grants to the state relating to vocational education shall be budgeted and accounted for as provided by law and by the rules of the department of finance and administration. These funds or grants shall be disbursed by warrants of the department of finance and administration on vouchers issued by the director of the instructional support and vocational education division or the director's authorized representative.

C. All state funds, federal aid funds or grants to the state relating to vocational rehabilitation shall be budgeted and accounted for as provided by law and by the rules of the department of finance and administration. These funds or grants shall be disbursed by warrants of the department of finance and administration on vouchers issued by the director of the vocational rehabilitation division or the director's authorized representative.

D. All federal aid funds received by the state to be used for vocational education or vocational rehabilitation programs may be expended in any succeeding year from the year

