

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** SB 304aa

**52nd Legislature, 1st Session, 2015**

**Tracking Number:** .198269.1

**Short Title:** Early Childhood Books and Toys

**Sponsor(s):** Senator Sue Wilson Beffort

**Analyst:** James Ball

**Date:** March 5, 2015

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**AS AMENDED**

**The Senate Finance Committee amendments:**

- **strike the word “TOYS” from the title of the bill and replace it with “LEARNING RESOURCES”; and**
- **strike the appropriation provisions made by the Senate Education Committee and require, instead, that, for FY 16, the Children, Youth and Families Department enter into an inter-governmental agreement with regional education cooperatives (RECs) throughout the state to use \$200,000 in department funds to purchase books and learning resources that the RECs are to loan on a prorated, per-student basis to providers of state-funded early childhood assistance programs.**

**The Senate Education Committee amendments strike the appropriation to the Public Education Department and require, instead, that the Children, Youth and Families Department enter into an inter-governmental agreement with regional education cooperatives (RECs) throughout the state to use \$200,000 in department funds to purchase books and toys that the RECs are to loan on a prorated, per-student basis to providers of state-funded early childhood assistance programs (see “Fiscal Issues,” below).**

**Original Bill Summary:**

SB 304 makes an appropriation for books and toys to be purchased and then loaned by Regional Education Cooperatives (RECs) to providers of state-funded early child-care assistance programs.

**Fiscal Impact:**

\$200,000 is appropriated from the Early Childhood Care and Education Fund (ECCEF) to the Public Education Department (PED) for expenditure in FY 16. Unexpended or unencumbered funds revert to the ECCEF.

**Fiscal Issues:**

The ECCEF was created in the *Early Childhood Care and Education Act* in 2011 as a non-reverting fund in the State Treasury. Administered by the Children, Youth and Families Department (CYFD), the ECCEF is subject to appropriation by the Legislature to CYFD, while

disbursements from the fund shall be made upon vouchers issued and signed by the Secretary of CYFD.

The *Early Childhood Care and Education Act* [32A-23A-6(B)] does not appear to support an appropriation from the ECCEF to PED as CYFD is specified in the statute as the only agency eligible to receive appropriations by the Legislature. CYFD is also designated in the statute as the agency that makes awards to early childhood care and education providers.

According to CYFD, the current balance in the ECCEF, \$219,700, is associated with a grant from the Kellogg Foundation, which is dedicated to establishing an early childhood and family resource center in the South Valley in Albuquerque in FY 15 through expenditures from CYFD. CYFD believes that in order for \$200,000 to be awarded from the ECCEF to PED, there would first need to be an appropriation of funds to the ECCEF so that this obligation is not compromised.

Another potential fiscal issue is that, because neither PED nor the RECs are direct providers of early childhood care and education services, neither PED nor the RECs seem eligible to receive grants from the ECCEF.

### **Substantive Issues:**

CYFD points out that a book and toy lending system would allow early childhood programs access to developmentally and culturally appropriate toys and books in communities.

CYFD also notes that early childhood care assistance providers experience constant difficulties in upgrading their toys, books, and library resources.

### **Background:**

Enacted in 2011, the ECCEA has as its purpose “to establish a comprehensive early childhood care and education system through an aligned continuum of state and private programs, including home visitation, early intervention, child-care, early head start, head start, early childhood special education, family support and pre-kindergarten, and to maintain or establish the infrastructure necessary to support quality in the system’s programs.”

Beginning with the 2011 interim, the Legislative Education Study Committee has heard annual testimony on the implementation of the ECCEA and related activities. To illustrate:

- Among other points, the testimony in 2011 included:
  - a review of some of the targeted efforts that led to the legislation;
  - an overview of the provisions of the ECCEA, with particular attention to the Early Learning Advisory Council (ELAC), which the act created; and
  - a review of data showing the return on investment in early childhood care and education; the locations of existing Head Start, New Mexico PreK, and child-care sites; and the frequent lack of alignment between these locations and the areas of greatest need.

- Among other points, the testimony in 2013 addressed:
  - the establishment and membership of ELAC, as well as its designation as the state's official council for the Head Start program, as required by federal law;
  - ELAC's mission and vision statements; and
  - the scope and activities of the five committees that ELAC had formed: Access to Quality/Early Childhood Programs, School Readiness, Workforce Development, Finance, and Public Policy.

**Committee Referrals:**

SEC/SFC

**Related Bills:**

CS/SB 301 *Create Early Childhood Funds*  
SB 343 *Guadalupe County Early Childhood Programs*  
SB 344 *Northeastern NM Early Childhood Programs*  
SJR 5 *School Fund for Early Childhood, CA*