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**HOUSE BILL 242**

**43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998**

**INTRODUCED BY**

**GAIL C. BEAM**

**FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE**

**AN ACT**

**RELATING TO EDUCATION; PROVIDING INSURANCE COVERAGE TO  
REGIONAL EDUCATION COOPERATIVES; REMOVING REGIONAL EDUCATION  
COOPERATIVES' STATE AGENCY STATUS; AMENDING THE EDUCATIONAL  
COOPERATIVE FUNDS.**

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

**Section 1. Section 22-2-6.3 NMSA 1978 (being Laws 1986,  
Chapter 94, Section 3, as amended) is amended to read:**

**"22-2-6.3. DEFINITIONS.--As used in the Public School  
Insurance Authority Act:**

**A. "authority" means the public school insurance  
authority;**

**B. "board" means the board of directors of the  
public school insurance authority;**

**C. "director" means the director of the public**

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1 school insurance authority;

2 D. "educational entities" means state educational  
3 institutions as enumerated in Article 12, Section 11 of the  
4 constitution of New Mexico [~~and~~], other state diploma, degree-  
5 granting and certificate-granting post-secondary educational  
6 institutions and regional educational cooperatives;

7 E. "fund" means the public school insurance fund;

8 F. "group health insurance" means coverage which  
9 includes but is not limited to life insurance, accidental  
10 death and dismemberment, medical care and treatment, dental  
11 care, eye care and other coverages as determined by the  
12 authority;

13 G. "risk-related coverage" means coverage which  
14 includes but is not limited to property and casualty, general  
15 liability, auto and fleet, [~~workmen's~~] workers' compensation  
16 and other casualty insurance; and

17 H. "school district" means a school district as  
18 defined in Subsection [~~J~~] K of Section 22-1-2 NMSA 1978,  
19 excluding any school district with a student enrollment in  
20 excess of sixty thousand students. "

21 Section 2. Section 22-2B-1 NMSA 1978 (being Laws 1993,  
22 Chapter 232, Section 1) is amended to read:

23 "22-2B-1. SHORT TITLE. -- [~~Sections 1 through 6 of this~~  
24 ~~act~~] Chapter 22, Article 2B NMSA 1978 may be cited as the  
25 "Regional Cooperative Education Act". "

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1           Section 3. Section 22-2B-2 NMSA 1978 (being Laws 1993,  
2 Chapter 232, Section 2) is amended to read:

3           "22-2B-2. DEFINITIONS. --As used in the Regional  
4 Cooperative Education Act:

5           A. "council" means a regional education  
6 coordinating council;

7           B. "cooperative" means a regional education  
8 cooperative; and

9           C. "fund" means an educational cooperative fund."

10          Section 4. Section 22-2B-3 NMSA 1978 (being Laws 1993,  
11 Chapter 232, Section 3) is amended to read:

12          "22-2B-3. REGIONAL EDUCATION COOPERATIVES AUTHORIZED. --

13           A. The state board may authorize the existence and  
14 operation of "regional education cooperatives". Upon  
15 authorization by the state board, local school boards may join  
16 with other local school boards or other state-supported  
17 educational institutions to form cooperatives for the purpose  
18 of providing education-related services to qualified school-  
19 age residents of participating educational entities.

20 [~~Regional education cooperatives shall be deemed individual~~  
21 ~~state agencies administratively attached to the department of~~  
22 ~~education.~~]

23           B. Cooperatives shall assist local school boards  
24 in carrying out their responsibilities as authorized by the  
25 state board and approved by the council.

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1                    ~~[B-]~~ C. The state board shall, by regulation,  
2 establish minimum criteria for the establishment and operation  
3 of cooperatives. The state board shall also establish  
4 procedures for oversight of cooperatives to ensure compliance  
5 with state board regulation. Regional education cooperatives  
6 shall be exempt from the provisions of the Personnel Act. "

7                    Section 5. Section 22-2B-6 NMSA 1978 (being Laws 1993,  
8 Chapter 232, Section 6) is amended to read:

9                    "22-2B-6. EDUCATIONAL COOPERATIVE FUNDS CREATED. --  
10 "Educational cooperative funds" are established in the state  
11 treasury. The state treasurer shall establish individual  
12 educational cooperative funds for each cooperative authorized  
13 by the state board. Money in each fund is appropriated to the  
14 [~~individual council~~] department of education for the purpose  
15 of carrying out the provisions of the Regional Cooperative  
16 Education Act. Money in each fund may be distributed on  
17 warrants issued by the department of finance and  
18 administration pursuant to vouchers signed by the [~~director of~~  
19 ~~the cooperative~~] state superintendent or his designee. Any  
20 unencumbered or unexpended balance remaining in the funds at  
21 the end of each fiscal year shall not revert to the general  
22 fund. "

1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

3  
4  
5  
6 February 7, 1998

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8 Mr. Speaker:

9  
10 Your EDUCATION COMMITTEE, to whom has been referred

11  
12 HOUSE BILL 242

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14 has had it under consideration and reports same with  
15 recommendation that it DO PASS, amended as follows:

16  
17 1. On page 2, line 6, strike "educational" and insert in  
18 lieu thereof "education".

19  
20 2. On page 4, line 6, after the period insert "The state  
21 board by regulation shall require that employees of cooperatives  
22 be accorded the same rights and privileges and be subjected to  
23 the same duties and obligations as employees of local school  
boards. ".

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25 3. On page 4, lines 13 through 16, strike the sentence  
beginning with "Money".,

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1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998

3 HB 242

Page 6

4 and thence referred to the APPROPRIATIONS AND FINANCE  
5 COMMITTEE.

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7 Respectfully submitted,

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11 \_\_\_\_\_  
Rick Miera, Chairman

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14 Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

15 (Chief Clerk)

(Chief Clerk)

16  
17 Date \_\_\_\_\_

18 The roll call vote was 13 For 0 Against

19 Yes: 13

20 Excused: None

21 Absent: None

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FORTY-THIRD LEGISLATURE  
SECOND SESSION

February 10, 1998

HOUSE FLOOR AMENDMENT number \_\_\_\_\_ to HOUSE BILL 242, as amended

Amendment sponsored by Representative Gail C. Beam

1. Strike House Education Committee Amendment 3.
2. On page 4, lines 16 through 19, strike the sentence beginning with "Money".

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Gail C. Beam

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FORTY-THIRD LEGISLATURE  
SECOND SESSION

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2 HB 242, aa

Page 8

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5 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

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FORTY-THIRD LEGISLATURE  
SECOND SESSION

1 HB 242, aa

Page 9

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4 FORTY-THIRD LEGISLATURE  
5 SECOND SESSION, 1998

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February 16, 1998

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Mr. President:

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Your EDUCATION COMMITTEE, to whom has been referred

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HOUSE BILL 242, as amended

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has had it under consideration and reports same with recommendation

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that it DO PASS, and thence referred to the FINANCE COMMITTEE.

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Respectfully submitted,

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Cynthia Nava, Chairman

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25 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

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FORTY-THIRD LEGISLATURE  
SECOND SESSION

1 HB 242, aa

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3 Date \_\_\_\_\_

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5 The roll call vote was 6 For 2 Against

6 Yes: 6

7 No: Boitano, Rawson

8 Excused: Gorham, Rodriguez

9 Absent: None

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FORTY-THIRD LEGISLATURE  
SECOND SESSION

1 HB 242, aa

Page 11

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4 FORTY-THIRD LEGISLATURE  
5 SECOND SESSION, 1998

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February 17, 1998

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Mr. President:

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Your FINANCE COMMITTEE, to whom has been referred

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12

HOUSE BILL 242, as amended

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has had it under consideration and reports same with recommendation  
15 that it DO PASS.

16

Respectfully submitted,

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Ben D. Altamirano, Chairman

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25 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

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FORTY-THIRD LEGISLATURE  
SECOND SESSION

1 HB 242, aa

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Date \_\_\_\_\_

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6 The roll call vote was 6 For 0 Against

7 Yes: 6

8 No: None

9 Excused: Carraro, Eisenstadt, Ingle, Lyons, McKibben

10 Absent: None

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