

Results from Special Session

On March 1, 2010, legislators returned to Santa Fe for a special session called by Governor Richardson to grapple with a \$500 to \$600 million shortfall expected for next year and GO bonds. Central to their work was passing the general appropriations act for FY 11.

The Senate recessed at 2:15 p.m. that day, subject to the call of the chair, after introducing 13 bills in short succession and with hopes that the session would adjourn within two to three days.

Six bills were introduced on the first day in the House, including HB 2, the general appropriations act.

By the close of the special session on March 4, the Legislature had passed bills impacting education that include an amended version of HB 2, HB 3csaa Cigarette Tax Increase and Tribal Stamp, HB 5a Severance Tax Bond Projects and SB 1csaa 2010 Capital Projects GO Bond Act.

HB 2a that passed both houses totals \$5.6 billion. It provides for a 1.2% decrease for schools, or \$28 million in reduced funding. Due to the bill, the unit value might go down approximately 2% in FY 11, according to Steve Burrell, the Public Education Department's (PED) director of School Budget. Of importance is that for the 2009-2010 school year there's been a dramatic increase in units due, in part, to what is believed to be an influx of private school students into the public schools.

Section 12 of the bill provided for \$15 million in American Recovery and Reinvestment Act (ARRA) money to be distributed to school districts and charter schools through the State Equalization Guarantee (SEG) and \$10 million to be distributed to all state agencies to offset the reductions. The funds came from the ARRA public safety and other government services

allocation, which is distributed at the governor's discretion.

HB 3csaa increased the cigarette tax 75-cents for the next four years (July 1, 2010 to June 20, 2014). \$11 million of the revenue was slated to go to early childhood programs – with \$4.6 million benefiting PED early childhood programs and \$6.4 million

benefiting CYFD early childhood programs, excluding administration – for FY 11 only. The tax was the last piece of a package of bills to address next year's projected budgetary shortfall. \$22 million of the tax was to go to the state's general fund.



Overall, in the special session the Legislature raised more than \$230 million in revenue through tax and revenue-generating measures. The tax increases included an increase in the statewide gross receipts tax on goods and services by 1/8 cent and a partial reimposition of the tax on food at local gross receipts tax rates, which average about 2% or two cents on the dollar.

Governor Richardson Actions

The governor had until March 24 to act on the legislation. On March 19, he signed the bill regarding the severance tax bond projects with a partial veto and the bill for GO bond capital projects without any line-item vetoes. On March 24, he signed the general appropriations act and cigarette tax with partial vetoes. In addition, he vetoed the food tax measure, which would have raised \$68 million, which he said was regressive and hurts working New Mexico families.

From the cigarette tax, he vetoed the language that would have provided funding for early childhood education programs and removed temporary language.

From HB 2a, he vetoed Section 12 but said in a news release that he would exercise

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the option provided to him in the bill of making additional spending cuts if cash reserves decline as a result of the food tax veto. The governor also said that he is prepared to use \$20 million in stimulus or ARRA money to balance the budget and that \$18 million had been generated through line-item vetoes.

HB 2 was amended as the result of a floor amendment introduced by Rep. Lucky Varela, chairman of the Legislative Finance Committee, on March 2. The amendment added language directing the State Personnel Office to review all authorized unfunded positions and agency vacancy rates and eliminate 1,900 positions covered by the state personnel system prior to July 1, 2010.

In his line-item veto, the governor removed the amended language.

Here are the appropriations included for education in HB 2a after Executive action. The bill as signed by Governor Richardson requires sanding of .544% or by \$544 on a \$100,000 appropriation. This does not apply to the last two bullets on this page:

- **State Equalization Guarantee (SEG)**, \$2,305,553,000, which includes \$2,280,805,000 in general funds, \$850,000 of other state funds and \$23,898,000 in federal funds.
- **Public School Transportation**, \$98,335,500.
- **Supplemental Distributions**, \$2,346,000.
- **Instructional Material Fund**, \$15,175,400.
- **Dual Credit Instructional Materials**, \$1,000,000.
- **Indian Education Fund**, \$2,000,000, which includes \$400,000 for a nonprofit organization that provides teaching support in schools with a high proportion of Native American students and \$400,000 to provide a rural literacy initiative to support after-school and summer literacy block programs for students in K-8th grades in schools with a high proportion of Native American students contingent on receipt of \$400,000 in matching funds from other than state sources no later than September 30, 2010.
- **Public Education Department Administration**, \$14,800,000 in general funds. A total of \$45,388,900 are appropriated from all funds.



- **Apprenticeship Assistance**, \$200,000.
- **Breakfast for Elementary Students**, \$2,000,000.
- **Kindergarten-three Plus**, \$5,500,000.
- **Pre-Kindergarten**, \$8,000,000 are appropriated, which includes \$1,500,000 in internal service funds/interagency transfers and \$1,000,000 other state funds. However, the total appropriated is actually \$7,000,000 as the \$1,000,000 from other state funds was appropriated from the PreK fund balance.
- **Advanced Placement**, \$563,000
- **Afterschool Enrichment Program**, \$150,000.
- **GRADS** – reality and dual role skills, \$550,000 are appropriated, which includes \$250,000 in internal service funds/interagency transfers.
- **New Mexico Cyber Academy** (innovative digital education and learning New Mexico), \$712,000.
- **Regional Education Cooperatives Operations**, \$975,000 are appropriated for application.
- **Summer reading, math and science institutes**, \$165,000.
- **Operating Budget and Management System and Student, Teacher Accountability and Reporting System**, \$700,000.
- **Emergency supplemental support for the purpose of implementing and maintaining educational reforms**, \$4,000,000 are appropriated to small rural school districts with a total membership of fewer than 600 in their elementary, middle and high schools in financial need but no money shall be distributed to any school district having cash and invested reserves, or other resources or any combination thereof, equaling five percent or more of the school district's operating budget. This can be used in FY 11 only; no sanding required.
- **Emergency support to school districts experiencing shortfalls**, \$6,000,000. This can be used in FY 10 and FY 11; no sanding required.

The general appropriations act takes effect immediately.

Education-Related Bills Signed from 2010 Regular Session

Unless otherwise noted, the effective date of this legislation is May 19, 2010. References to the Public Education Department are "PED."

HB 8a, Development Training Funds.

Appropriates \$5,000,000 from the general fund to the Development Training Fund for expenditure in fiscal year 2011 for a development training program for certain new or expanding industries and businesses in the state. Contains an emergency clause.

HB 24, Educational Opportunity for Military Children.

Enacts the Interstate Compact on Educational Opportunity for Military Children, an initiative of the Department of Defense together with the Council of State Governments Interstate Commission on Opportunity for Military Children. The Compact seeks to establish uniform treatment of military children.



HB 38aa, Public Project Revolving Loan Fund Projects. Authorizes the New Mexico Finance Authority (NMFA) to provide loans for 114 public projects from the Public Project Revolving Fund to qualified entities, including public schools, for public projects (building, equipment, infrastructure, refinancing projects, etc.) based on terms and conditions established by the NMFA. Contains an emergency clause.

HB 44, Health Education Required for Graduation. Requires students in either middle or high schools, as determined by the school district, to complete a course in health education prior to graduation. Applies to public school students entering the 8th grade beginning with the 2012-2013 school year. Requires school districts to submit to the PED, by the beginning of the 2011-2012 school year, a plan for implementation.

HB 53, Financial Literacy as School Math Requirement. Changes the requirements for graduation for students who entered 9th grade beginning in school year 2009-2010 to provide that a Financial Literacy course meeting state mathematics academic content and performance standards shall qualify as one of the four required mathematics units.

HB 64, School Equalization Distribution Date

Change. Allows the State Equalization Guarantee (SEG) distribution program unit value for FY 2010 to be set at a date later than January 31, 2010. The date is to be determined after receipt of approval to use state fiscal stabilization funds for a portion of the SEG distribution. Contains an emergency clause.

HB 68cs, Public School Capital Outlay Omnibus Bill. Extends the roof replacement initiative sunset date from 2012 to 2015. This initiative

allows the Public School Capital Outlay Council (PSCOC) to allocate up to \$10,000,000 annually for roof repair and replacement projects identified by the PSCOC. The bill requires that money distributed from the fund to the state fire marshal or the Construction Industries Division be used to supplement appropriations to their agencies rather than supplant. It adds additional duties to the Public School Facilities Authority (PSFA). The PSFA is to act as a central purchasing office pursuant to the procurement code, select contractors and enter and administer contracts for certain emergency contracts awarded pursuant to the Public School Capital Outlay Act (PSCOA). And it adds a temporary provision within the PSCOA to require the Public School Capital Outlay Oversight Task Force (PSCOOTF) to continue studying issues relating to performance-based procurement for public PSCOC projects. The PSCOOTF shall report its findings and recommendations no later than December 15, 2010 to the governor and the Legislature. Contains an emergency clause.

HB 69, Reporting of Cohort Graduation Data. Delineates publication requirements for the four-year and five-year cohort graduation rates along with alternate outcomes of high school students who did not graduate. The bill updates language throughout to include the new class of state-chartered charter schools, clarifies the responsibility of LEAs to report for their locally chartered schools and states that confidentiality must be protected in reporting.

HB 70, Educational Data System. Defines an "Educational Data System" that serves PreK through post-graduate education, defines the data system council and outlines specific components and

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Bills Signed in 2010, con't

functions of the data system. An amendment to the bill clarifies that prior to submission and publication of a yearly status report to the Legislature and the Governor a draft status report is to be sent for comment to districts, charter schools and public post-secondary educational institutions.

HB 71, Mentorship Requirements for Level 1 Teachers. Requires that mentorship services be provided to first-year teachers for the full school year. Additionally, if sufficient mentorship funds are available, the PED may provide funding for mentorship services that extend beyond the first year but the state shall not pay for more than three years of mentorship for any beginning teacher. The bill clarifies that Level I and Intern Level teachers must be mentored by Level II and Level III teachers.

HB 74, Charter School Oversight for 1 Year. Requires locally chartered charter schools to be subject to oversight by the local district during the charter school's planning year, giving local district authorizers the same authority currently afforded to the PED in terms of their ability to require the charter schools under their authority to demonstrate their readiness to commence operations.



HB 90, Native American Schools Dual Credit Program. This Governor Richardson bill expands New Mexico's dual credit program to high school students at Bureau of Indian Education (BIE) schools and tribal colleges in New Mexico. This bill complements HB 50 of 2009, the *American Indian Post-Secondary Education Act*. Effective date of July 1, 2010.

HB 145cs, Qualified School Construction Bonds. During the 2009 legislative session, HB 928 enacted a new section to the Public School Code creating the Qualified School Construction Bond Act (QSCBA). This new act gave the state the necessary framework to use the qualified school construction bond allocations as authorized in the Federal American Recovery and Reinvestment Act (ARRA) of 2009. The bill authorized the Public School Capital Outlay Council (PSCOC) to

allocate these bonds to school districts that meet specific criteria within the ARRA.

The purpose of the bonds is to give the state and school districts authority to issue interest-free bonds for projects meeting certain conditions. Specifically, 100 percent of available project proceeds from the issuance of bonds are to be used for construction, rehabilitation or repair of a qualifying school facility or for the acquisition of land on which a school is to be constructed; the bonds must be issued within the same jurisdiction and location of the qualified school; and, the issuer must designate the bonds as qualified school construction bonds.



After the conclusion of the 2009 legislative session several glitches were discovered within the language of the newly created act. These glitches prevented the state from allocating authority to school districts to issue these interest-free bonds. HB 145 fixes the glitches. Contains an emergency clause.

HB 150/SB 132, Hispanic Education Act. This Governor Richardson bill creates an act that provides for the study, development and implementation of educational systems that affect the educational success of Hispanic students; encourages and fosters parental involvement; provides mechanisms to allow collaboration to improve educational opportunities for Hispanic students; creates a Hispanic education liaison at PED; creates a Hispanic Education Advisory Council; and requires PED, in collaboration with the Higher Education Department, to submit an annual P-20 report on Hispanic education. Effective date of July 1, 2010.

HB 227/251csa, School Board Finance & Audit Committees. This Governor Richardson bill requires local school boards and governing authorities of charter schools to establish finance subcommittees and audit committees. It requires that the membership of the audit committees include people with accounting or financial experience and parents.

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Bills Signed in 2010, con't

HB 230, Dyslexic Student Intervention. Creates a new section in state law that requires school district student assistance teams to provide timely, appropriate, systematic, scientific and research-based intervention procedures for students who demonstrate characteristics of dyslexia who are having various difficulties. It requires that local school districts and charter schools ensure that every teacher who teaches reading be trained in providing research-based reading interventions for students with dyslexia. Further, the PED is to provide lists of recommended teacher professional development materials and opportunities to assist teachers in working with students displaying characteristics of dyslexia and provide technical assistance for special education diagnosticians regarding the evaluation of students suspected of having dyslexia.

HB 232, Standardized School Finance Reporting Dates. Removes the 40th, 80th and 120th days as reporting dates and standardizes reporting dates by establishing the second Wednesday of October as the first reporting date, the second Wednesday of December as the second reporting date and the second Wednesday of February as the third reporting date. The bill allows the PED to withhold 100% of allotments of funds to any school district or state-chartered charter school where the superintendent or head administrator has failed to comply, with the withholding to continue until they comply with and agree to continue complying with requirements.



HB 237, Government Restructuring Task Force. Creates a 17-member Government Restructuring Task Force to study the resources of the state's agencies' programs, services, funding and policies, and the public need served by them; and also seeks to examine the laws, constitutional provisions, rules and court decisions governing state government and reorganization. Contains an emergency clause.

SB 1csa, School Athlete Head Injury Safety Protocols. Requires that coaches shall not allow a student athlete to participate in a

school athletic activity on the same day that the student athlete exhibits signs, symptoms or behaviors consistent with a brain injury or has been diagnosed with a brain injury; establishes requirements for when a coach may allow a student athlete to participate in a school athletic activity after having been not allowed to participate due to signs, symptoms or behaviors consistent with a brain injury or has been diagnosed with a brain injury; requires school districts to ensure that each coach participating in school athletic activities in the school receives training in brain injury; and requires the New Mexico Activities Association (NMAA) to consult with the Brain Injury Advisory Council and school districts to promulgate rules.

SB 85, School Leadership Institute. Creates the School Leadership Institute and administratively attaches it to the Higher Education Department. The institute will provide a comprehensive and cohesive framework for preparing, mentoring and providing professional development for principals and other public school leaders. Additionally, the institute will partner with state agencies, institutions of higher education and professional associations to identify and recruit candidates for the institute.

SB 87 & SB 92, Delay School Year and Day Length Changes. Under this bill, districts will not be required to standardize the school calendars to 180 or 150 days (for a four-day school week) until the 2011-2012 school year. HB 691 of 2009 would have required the change beginning in 2010-2011.

SB 91, Delay Educational Retirement Contributions. Per the Legislative Education Study Committee analysis: SB 91 delays until FY 12 the 0.75% increase in the employer contribution to the Educational Retirement Fund that would otherwise take effect in FY 11. In 2005, legislation was enacted to increase the employer and employee contributions to the fund in order to restore solvency to the fund, which had become insolvent by the end of FY 04. The employer contribution was set to increase by 5.25% over seven years (a 0.75% increase per year) to increase the employer's contribution from 8.65% in FY 05 to 13.9% in FY 12. Effective date of July 1, 2010.

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Bills Signed in 2010, con't

SB 97, School District Budget Flexibility. Waives the requirements in the Public School Code regarding class load, length of school day (instructional hours), staffing patterns, subject areas and purchases of instructional materials. Contains an emergency clause.

SB 111, Additional Teacher Evaluation Standards. Requires the PED to adopt criteria and minimum highly objective uniform statewide standards of evaluation for professional development that has been required or offered by the state or a school district or charter school. The bill will explicitly require the teacher and the principal to complete the annual Professional Development Plan (PDP) with greater attention to the demonstration of new knowledge and/or skills received as a result of professional development offered and/or required of the teacher.

SB 182csaaa, Capital Outlay Reversions for Solvency. Vetoed from a section in the bill on the PED was the following: to construct a student drop-off area at Hayes Middle School in the Albuquerque Public School district in Bernalillo County, appropriation identification number 08-3045. Overall, the bill the Governor signed frees up about \$141 million in stalled capital outlay dollars.

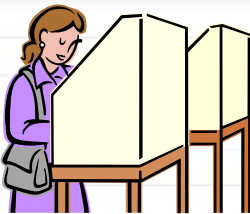
SB 195aaa, Sunshine Portal Transparency Act. Creates an Internet-based portal for public information pertaining to agency budgets and finances for the state. The bill provides

definitions; provides duties for the Department of Information Technology (DoIT), Department of Finance and Administration (DFA) and state agencies; provides for rulemaking; and in Section 5 states that nothing in the "Sunshine Portal Transparency Act" shall require disclosure of information that is confidential by state or federal law. The portal will include a directory of all employee positions, other than exempt employee positions, identified only by state agency, position title and salary and a directory of all exempt employee positions, identified by state agency, position title, salary and the name of the individual that holds the position. The portal is to be available for public access no later than July 1, 2011.



SB 200, Public Building Energy Efficiency Standards. Provides energy efficiency standards for design and construction of public buildings to attain the energy star qualification or equivalent standard qualification. The standards are for new buildings that are 3,000 square feet or more, additions to buildings that increase the square footage by 3,000 or more square feet and renovations to buildings of at least two of the following: heating, ventilation and air conditioning systems; electrical systems; and components that separate the interior and exterior environments while protecting the indoor environment and facilitating climate control.

Coming to the Voters in 2010



Among the bills signed by the governor on March 19 from the 2010 special session was SB 1csaa, 2010 Capital Projects GO Bond Act.

The bill, signed without line-item vetoes, contains GO bond projects that will head to the voters in November 2010 for approval.

These include the following:

- \$2,000,000 to acquire library books, equipment and library resources for public school libraries statewide;
- \$2,000,000 for renovation and construction of pre-kindergarten classrooms and facilities at public schools statewide;
- \$2,000,000 to purchase school books and instructional materials statewide;
- \$500,000 to purchase school buses statewide; and
- \$500,000 for student count equipment in school buses statewide.

Education-Related Memorials Passed in 2010 Regular Session

These memorials took effect immediately and are requests, not law. Most reports are to the Legislative Education Study Committee (LESC).



educational signs explaining what is being done on site to support pollinators and collaborate with scientists and organizations such

as the North American Pollinator Protection Campaign to study and plan pollinator conservation projects for New Mexico.

HJM 16, Study Reading Curricula in Teacher Education. Requests that deans and directors of colleges of education be required to form a work group to establish the methodology of the study, identify the qualifications of reading experts to review the curricula and materials, determine how the study will be conducted and establish the scope of work and standards used in evaluating curriculum and materials. The work group will report its results to the interim LESC and the Governor by November 1, 2010.

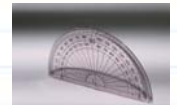
HM 7, Study Child Homelessness. Requests that the Children, Youth and Families Department assist the New Mexico Coalition to End Homelessness in collaboration with members of the New Mexico Campaign to End Child Homelessness to conduct a study of child homelessness in New Mexico. Findings, recommendations and a report are to be presented to the Interim Legislative Health and Human Services Committee by November 2010.



HJM 22, Improve High School Science Labs. Requests the PED to work with the Public School Facility Authority to develop a multi-year plan to improve and equip high school science laboratory facilities, including a timeline and cost estimates for improvements. PED would also evaluate the instructional impacts of virtual (computer-based) laboratory experiences and, as appropriate, include adequate equipment and facilities for implementing virtual laboratory experiences in the overall laboratory facilities improvement plan. A status report on the plan is to be transmitted to the LESC by no later than December 2010.

HM 29a, Policy for Detention of 18-21 Year Olds. Requests that a work group of persons involved with youth in the juvenile justice system be convened to create a policy for the detention of youth 18 to 21 years of age. A report to the Secretary of the Children, Youth and Families Department and Courts and Corrections Interim Committee is requested by November 30, 2010.

HM 46a, Study Reading & Math Scores & Dropout Rates. Requests that the PED compare the fourth and eighth grade reading and math proficiency scores for graduating and non-graduating students for the past two years with breakdowns by school district.



HJM 60a, UNM Humanities Research & Teaching Center. Proposes a legislative endorsement of the University of New Mexico's (UNM) Humanities Research and Teaching Center, including supporting UNM's application for a National Endowment for the Humanities Challenge Grant, and encouraging the PED, Higher Education Department, Cultural Affairs Department and other relevant agencies to work with the Humanities Research and Training Center to develop programs, knowledge and resources to help students understand and address 21st Century local and global issues.

HM 50a, Develop Statewide Nursing Education Plan. Requests that a task force be convened to develop a new statewide education plan for nursing. A report of findings is requested to the Interim Legislative Health and Human Services Committee and LESC by November 1, 2010.

HM 4/SM 9, Use Pollinator-Friendly Plans in Landscaping. Requests that state and county agencies, municipalities, public schools and colleges and universities, using existing resources, use pollinator-friendly plants in landscaping projects, consider providing

HM 56aa, Consolidate Disability Program Training. Requests that a task force be convened to examine the possibility of coordinating or consolidating training programs in the state for direct caregivers across all disability programs and their respective state agencies. It requests a report by November 1, 2010 to the Interim Legislative Health and Human Services Committee.

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Memorials Passed in 2010, Con't

HM 69a, Study School Content, Curricula & Programs. Requests the PED to study the alignment of school district curricula and professional development in mathematics, language arts and science to state academic content standards in those subject areas; and that the study include a review and recommendations of the following:



- the extent to which district curricula are aligned with New Mexico academic content standards and the standards developed by the common core state standards initiative;
- whether local curricula are aligned to state academic content standards between grades in such a way as to ensure that students are adequately prepared at each grade level to meet the state's academic expectations; and
- the extent to which both teacher preparation programs and professional development courses in New Mexico provide sufficient knowledge of state academic content standards and teach effective instructional strategies.

A report is due to the LESC by December 2010.

SJM 12, Study Various School Calendars. Requests the Office of Education Accountability to collaborate with various partners to conduct a study of the effects of various school calendars on student learning and achievement, teachers, school operations and school district budgetary needs. The study report is to be complete and delivered to the LESC by October 31, 2010.

SJM 25a, Study Autism & School Services. Requests that the PED conduct a study to determine how to provide best practice services to all children with autism spectrum disorders (ASD) in public schools. Additionally, it asks the PED to develop a written plan for showing steps on how it will work collaboratively with other state agencies, groups and stakeholders in order to develop and implement appropriate systems of care for all students with ASD. The PED is to report its findings, including a written plan, to the LESC by September 30, 2010.

SJM 34, E911 Committee Testimony to the Legislature. Requests a review of the Enhanced

911 Act, the Emergency Medical Services Act, the Homeland Security and Emergency Management Department Act, the Department of Information Technology Act, the Public Safety Telecommunicator Training Act and other relevant statutes or rules with a focus on identifying conflicts, overlaps or uncoordinated policies as well as funding considerations. Findings are to be provided to the Science, Technology and Telecommunications Committee, the LFC and Office of the Governor by August 31, 2010.

SM 28, Adolescent Birth Rate Reduction Task Force. Requests that the Department of Health assemble a task force of representatives from the PED, the Children, Youth and Families Department, the Workforce Solutions Department, the Human Services Department, the New Mexico Forum for Youth, the Children's Cabinet, the New Mexico Teen Pregnancy Coalition and county and local governments to develop a single, well-planned comprehensive strategy for reducing adolescent births, improving reproductive health outcomes, creating a continuum of preventative services and supporting adolescent parents.

SM 33a, Evaluate Approach to Drug Policy. Requests that the Robert Wood Johnson Foundation Center for Health Policy assemble a drug policy task force to evaluate New Mexico's approach to alleviating the negative consequences associated with the use of alcohol and other drugs. The task force will utilize a four-pillar approach to examine prevention, treatment, harm reduction and enforcement and develop strategies for effective change in New Mexico's drug policy.

SM 34, Local Government Youth Councils. School districts, universities and community colleges are encouraged to work with these youth councils and commissions.

SM 38, Report on Teacher Reward Mechanisms. Requests that the PED report prior to the first session of the 50th Legislature on its study of mechanisms to reward teachers and principals who improve student achievement. It requests that PED consider multiple measures, and work with teachers, unions, principals and other administrators in determining the process and design of instruments.

Changes to Double Dipping for PERA

On March 2, the governor signed SB 207cs that provides for double dipping changes for PERA employees, effective July 1, 2010.

SB 207cs, a Governor Richardson bill, amends the return-to-work (RTW) program for PERA retirees returning to a PERA-affiliated employer after July 1, 2010. The "wait out" period is extended from 90 days to 12 months; the pension of the RTW employee shall be suspended; the RTW employee has the option to not become a member, in which case no

service credit is earned and no contributions are made by the employee or the employer on his or her behalf; when the RTW employee subsequently leaves employment, his or her pension shall resume under the original provisions; and the RTW employee has the option to elect to become a member, in which case both the employee and employer contributions shall be made and the pension shall be adjusted accordingly if the employee works for a period of at least three years. Current RTW employees are grandfathered in.

Did You Notice Something Missing in HB 2a?



HB 2a, the general appropriations act that the Legislature sent to the governor at the close of the 2010 special session, provided a reported \$5.6 billion in funding. However, for public education, some of the funds provided in past appropriations acts were missing.

The missing funds include the following and are absent due to the state's budgetary shortfall. Please note that the FY 10 funding referenced below takes into account 2009 solvency reductions .

Public school support in FY 10 included funding for the **Educational Technology Fund**

(\$2,244,000) and for the **Schools in Need of Improvement Fund** (\$2,337,500). Funding was not included in HB 2a of 2010 for these funds.

Recurring dollars in FY 10 included \$1,394,600 for **beginning teacher mentorship**; \$93,500 for **rural revitalization**; \$929,800 for the **School Improvement Framework**; \$278,900 for **truancy and dropout prevention**; and \$371,800 for the **Family and Youth Resource Act**. Funding was not included in HB 2a for these programs.

Nonrecurring dollars in FY 10 included \$1,000,000 for **assessment and test development**. Funding was not included in HB 2a for this cost.

Odds and Ends . . .

HB 5a Severance Tax Bond Projects, signed by the governor on March 19, provides the following for public education: Section 31 reauthorizes a project for the Mora, Las Vegas and West Las Vegas school districts to extend time and remove the Wagon Mound school district from the project. The expenditure is extended through 2012. Section 34 reauthorizes \$100,000 from the New Mexico School for the Deaf to the Sign and Language Academy Charter School in Albuquerque. The project is to renovate and improve a facility for that school.



2010 is an election year. All seats in the state House of Representatives are up for grabs. Also on the ballot are the following: United States Representatives; Governor; Lieutenant Governor; Secretary of State; State Auditor; State Treasurer; Attorney General; Commissioner of Public Lands; Justices of the Supreme Court; Judges of the Court of Appeals; District Court Judges; Magistrate Court Judges; Metropolitan Court Judges; Public Regulation Commissioners; Public Education Commissioners; and other county seats.

