This unofficial compilation contains all of the New Mexico State laws relating to education which were passed during the 1974 legislative session. (Author)
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INTRODUCTION

The 1974 Legislative Session produced many new and amended laws affecting public education in New Mexico. Each year, the Office of General Counsel compiles the laws relating to education passed during the session of that year and distributes copies to those interested in these laws. This compilation appears several months prior to the publication of the annual supplements to the 1953 Compilation of the New Mexico Statutes and thus allows all of us to know what the new laws require of us usually prior to their effective dates.

This compilation is not official, but is produced for your convenience.

C. Emery Cuddy, Jr.
General Counsel
State Department of Education
The Legislature
of the
State of New Mexico

31st Legislature, Special Session

LAWS 1974

CHAPTER 3

HOUSE BILL NO. 300, AS AMENDED

Introduced by

REPRESENTATIVE WILLIAM O'DONNELL
CHAPTER 3
AN ACT

MAKING GENERAL APPROPRIATIONS AND AUTHORIZING EXPENDITURES BY STATE AGENCIES AND DISTRIBUTIONS FOR PUBLIC EDUCATION REQUIRED BY LAW AND PROVIDING A TAX LEVY.

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

Section 1. SHORT TITLE.—This act may be cited as the "General Appropriation Act of 1974".

Section 2. DEFINITIONS.—As used in the General Appropriation Act of 1974:

A. "General fund" means that fund created by Section 11-2-3.1 NMSA 1953.

B. "Federal funds" means receipts of state agencies from the United States government in the form of grants, reimbursements, payments made in accordance with contracts, cooperative agreements or for specific purposes or in lieu of taxes but does not include shared revenue unless otherwise indicated.

C. "Shared revenue" means receipts to the state of New Mexico from the United States government made available under the provisions of the State and Local Fiscal Assistance Act of 1972 or any special revenue sharing program enacted by congress.

D. "Other state funds" means all funds, receipts, revenues, balances and income available to state agencies from any source whatsoever not defined in subsections A, B or C of this section.

E. "Public money" means all general fund, federal funds,
shared revenue and other state funds as defined in subsections A, B, C and D of this section.

F. "State agency" means any office, department, institution, board, bureau, commission, court, district attorney, council or committee of state government which receives or expends public money.

G. "Expenditures" means all amounts of money, other than refunds authorized by law, paid out or encumbered for payment by a state agency other than for investment in securities or as agent or trustee for other governmental entities or private persons.

II. "Revenue" means all amounts of money received by a state agency from external sources, net of refunds and other correcting transactions, other than from issue of debt, liquidation of investments or as agent or trustee for other governmental entities or private persons.

Section 3. GENERAL PROVISIONS.—

A. Amounts set out under column headings are expressed in thousands of dollars.

B. Amounts set out under column headings are appropriated from the source indicated by the column heading.

C. Amounts set out under the column heading "Total" are provided for informational purposes only and are not appropriations.

D. For the sixty-third fiscal year appropriations are made as set out in Section 4 of the General Appropriation Act of 1974 from the general fund or other funds as indicated to the state agencies named or for the purposes expressed, or so much thereof as
may be necessary, within available revenues and unencumbered balances.

E. Unencumbered balances in state agency accounts remaining at the end of the fiscal year from appropriations made from the general fund shall revert to the general fund unless otherwise indicated. Unencumbered balances in state agency accounts remaining at the end of the fiscal year from sources other than the general fund shall not revert, unless otherwise indicated, but shall remain to the credit of the state agency.

F. Expenditures of sixty-third fiscal year appropriations shall not exceed the amounts authorized in the General Appropriation Act of 1974 except as specifically authorized in subsection G of this section. Expenditures shall be made only in accordance with budgets approved by the department of finance and administration in accordance with the provisions of Section 11-4-1.8 NMSA 1953.

G. In categories wherein specifically authorized, the department of finance and administration may approve increases in budgets of state agencies whose actual revenue from sources other than the general fund and unreverted and unencumbered balances exceed appropriations made in the General Appropriation Act of 1974. Such actual revenues exclusive of shared revenue are hereby appropriated. In approving such budget increases, the department shall advise the legislature through its officers and appropriate committees in writing of the conditions under which the increased budget is approved and the expenditures authorized together with justification for the adjustments.
H. The department of finance and administration shall monitor actual revenue received by state agencies from sources other than the general fund and shall order reductions in the operating budget of any state agency whose revenue from such sources is not meeting budgeted projections.

I. The same appropriations, with the same extensions and limitations as are indicated in the General Appropriation Act of 1974 for the sixty-third fiscal year, shall continue every fiscal year subsequent to the sixty-third fiscal year unless otherwise provided by law. Section 4 of Chapter 403, Laws 1973, is repealed effective July 1, 1974.

J. There are appropriated to the general fund all funds set out for "administrative overhead" as payments to partially defray the general overhead cost of government. The department of finance and administration shall order the transfer of these amounts at the time of allotment of funds to the state agency concerned. When a budget of an agency that has amounts set out in this act as items of "administrative overhead" is increased, five percent of the increase shall be collected and deposited to the general fund.

K. Except as otherwise specifically stated in the General Appropriation Act of 1974, appropriations are made in this act for the expenses of state agencies and for other purposes as required by existing laws. If any other act of the Thirty-First Legislature, Second Session or Special Session, approved by the governor, changes existing laws in regard to the name or responsibilities of a state agency,
agency or the name or purpose of a fund or distribution, the appropriation made in the General Appropriation Act of 1974 shall be transferred from the state agency, fund or distribution, to which an appropriation has been made as required by existing law, to the appropriate state agency, fund or distribution provided by the new law.

I. If the provisions of any other act of the Thirty-First Legislature, Second Session or Special Session, approved by the governor, conflict with provisions of the General Appropriation Act of 1974, the provisions of the other act shall apply.

J. If any items included in the General Appropriation Act of 1974 are appropriated in special acts of the Thirty-First Legislature, Second Session or Special Session, the appropriations in the special acts shall apply and the appropriations for these items in the General Appropriation Act of 1974 are null and void.

K. The property appraisal department is hereby directed to levy a tax at the maximum rate provided by law for state purposes to partially meet the appropriations of this act, exclusive of the levies necessary for interest on and retirement of public debt and such levies as are provided by existing statutes for other than general state purposes.

L. There is appropriated to the reappraisal loan fund created by Laws 1967 S.S., Chapter 2, Section 21, balances remaining to the credit of the fund at the close of the sixty-second fiscal year which are committed for the assistance of those county governments in which reappraisal has not been completed. The uncommitted balance shall be
transferred to the general fund. When all commitments have been ful-
filled, the reappraisal loan fund shall be abolished.

Section 4. SIXTY-THIRD FISCAL YEAR APPROPRIATIONS.—

A. LEGISLATIVE

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

LEGISLATIVE COUNCIL SERVICE:

(1) National conference of state legislative leaders —

- membership fee $1.0

(2) Legislative maintenance $42.0

(3) For a study of campaign reform by the legislative council $10.0

Subtotal $533.

LEGISLATIVE:

$190.0

To apply on expenses, mileage and per diem of legislative members.

TOTAL LEGISLATIVE $743.

B. JUDICIAL

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

The department of finance and administration may approve budget for—

occurrence in agencies in this category pursuant to Section 3, subsection—

G of this act B.K.
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUPREME COURT LAW LIBRARY:</td>
<td>$ 87.2</td>
<td></td>
<td></td>
<td>$ 87.2</td>
</tr>
<tr>
<td>NEW MEXICO COMPILATION COMMISSION:</td>
<td>$ 69.9</td>
<td></td>
<td></td>
<td>69.9</td>
</tr>
<tr>
<td>JUDICIAL STANDARDS COMMISSION:</td>
<td>12.0</td>
<td></td>
<td></td>
<td>12.0</td>
</tr>
<tr>
<td>JUDICIAL COUNCIL:</td>
<td>40.2</td>
<td>$ 63.7</td>
<td></td>
<td>103.9</td>
</tr>
</tbody>
</table>

Of the general fund appropriation to the judicial council, the sum of $15,000 shall be used only to match available federal funds.

NEW MEXICO REPORTS: 10.0 30.3 40.3

Balances remaining at the close of the fiscal year shall not revert.

COURT OF APPEALS: 302.5

SUPREME COURT: 366.2 17.0 383.2

ADMINISTRATIVE OFFICE OF THE COURTS: 2,313.0 259.7 2,572.7

Included in the above appropriation is the sum of $300,000 to be used only for the purposes of increasing the minimum salary of judicial employees to $400 per month and for other salary adjustments in the judicial branch and for paying employee benefits associated therewith.

It is not the intent of the legislature that these appropriations be construed as endorsing a uniform personnel plan for the judicial branch. Also included in the above appropriation is the sum of $63,000 to be used only for the purpose of increasing magistrates' salaries and corresponding employee benefits.

SUPREME COURT BUILDING COMMISSION: 129.4

DISTRICT COURTS:

1st judicial district: 352.8

352.
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
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<tr>
<td>2nd judicial districts</td>
<td>$1,337.6</td>
<td></td>
<td>$319.7</td>
<td>$1,657</td>
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<tr>
<td>3rd judicial districts</td>
<td>225.2</td>
<td></td>
<td></td>
<td>225.2</td>
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<tr>
<td>4th judicial districts</td>
<td>121.6</td>
<td></td>
<td></td>
<td>121.6</td>
</tr>
<tr>
<td>5th judicial districts</td>
<td>438.1</td>
<td></td>
<td></td>
<td>438.1</td>
</tr>
<tr>
<td>6th judicial districts</td>
<td>208.9</td>
<td></td>
<td></td>
<td>208.9</td>
</tr>
<tr>
<td>7th judicial districts</td>
<td>163.6</td>
<td></td>
<td></td>
<td>163.6</td>
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<tr>
<td>8th judicial districts</td>
<td>189.3</td>
<td></td>
<td>$319.7</td>
<td>508.0</td>
</tr>
<tr>
<td>9th judicial districts</td>
<td>158.3</td>
<td></td>
<td></td>
<td>158.3</td>
</tr>
<tr>
<td>10th judicial districts</td>
<td>113.3</td>
<td></td>
<td></td>
<td>113.3</td>
</tr>
<tr>
<td>11th judicial districts</td>
<td>298.1</td>
<td></td>
<td></td>
<td>298.1</td>
</tr>
<tr>
<td>12th judicial districts</td>
<td>153.3</td>
<td></td>
<td></td>
<td>153.3</td>
</tr>
<tr>
<td>13th judicial districts</td>
<td>188.1</td>
<td></td>
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<td>188.1</td>
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<tr>
<td>TOTAL district courts</td>
<td></td>
<td></td>
<td>$4,284.4</td>
<td>$4,284.4</td>
</tr>
</tbody>
</table>

In the event that House Appropriations and Finance Committee Substitute for House Bills 71, 88, 89 and 98, Thirty-First Legislature, Second Session, becomes law, the sum of $49,500 is also appropriated for the salary and expenses of one additional judge in the thirteenth judicial district.

DISTRICT ATTORNEYS:

| 1st judicial district: | 197.5 |
| 2nd judicial district: | 670.0 |
| 3rd judicial district: | 40.0 |

(1) Salaries and expenses 106.3
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrator</td>
<td>$34.8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$141.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4th Judicial Districts</td>
<td>$78.0</td>
<td></td>
<td>$78.0</td>
<td></td>
</tr>
<tr>
<td>5th Judicial Districts</td>
<td>$203.4</td>
<td></td>
<td>$203.4</td>
<td></td>
</tr>
<tr>
<td>6th Judicial Districts</td>
<td>$99.0</td>
<td></td>
<td>$99.0</td>
<td></td>
</tr>
<tr>
<td>7th Judicial Districts</td>
<td>$74.8</td>
<td></td>
<td>$74.8</td>
<td></td>
</tr>
<tr>
<td>8th Judicial Districts</td>
<td>$73.4</td>
<td></td>
<td>$73.4</td>
<td></td>
</tr>
<tr>
<td>9th Judicial Districts</td>
<td>$86.0</td>
<td></td>
<td>$86.0</td>
<td></td>
</tr>
<tr>
<td>10th Judicial Districts</td>
<td>$48.8</td>
<td></td>
<td>$48.8</td>
<td></td>
</tr>
<tr>
<td>11th Judicial Districts</td>
<td>$118.5</td>
<td></td>
<td>$118.5</td>
<td></td>
</tr>
<tr>
<td>12th Judicial Districts</td>
<td>$91.3</td>
<td></td>
<td>$91.3</td>
<td></td>
</tr>
<tr>
<td>13th Judicial Districts</td>
<td>$105.3</td>
<td></td>
<td>$105.3</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL district attorneys</strong></td>
<td></td>
<td></td>
<td></td>
<td>$2,027.1</td>
</tr>
<tr>
<td><strong>TOTAL JUDICIAL</strong></td>
<td></td>
<td></td>
<td></td>
<td>$10,049.2</td>
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</table>

C. EXECUTIVE

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney General</td>
<td>$577.4</td>
<td>$35.0</td>
<td>$612.4</td>
<td></td>
</tr>
</tbody>
</table>

The attorney general may bill state agencies operating from appropriations other than from the general fund according to a fee schedule.
approved by the department of finance and administration.

STATE AUDITOR: $265.0 $399.4 $664.4 Of the above appropriation, the sum of $78,200 shall be expended only for the purpose of performing audits requested by the legislative finance committee.

BUREAU OF REVENUE: 4,726.4 4,726.4

RADIO COMMUNICATIONS DEPARTMENT: 146.9 370.0 $162.0 672.9

DEPARTMENT OF MOTOR TRANSPORTATION: 2,637.1 2,637.1

The appropriation to the department is made from the state road fund. Unencumbered balances remaining to the credit of the department of motor transportation at the close of the fiscal year shall revert to the state road fund.

Included in the appropriation to the department of motor transportation is the sum of $100,000 to be used only for construction of a port of entry at Lordsburg.

All caravan and proration fees collected by the motor transportation department shall be transferred to the motor vehicle department for distribution in accordance with the provisions of Section 64-11-12 NMSA 1953.

DIVISION OF AUTOMATED DATA PROCESSING: 135.2 2,276.3 2,411.5 Services shall be supplied to requesting agencies at cost including overhead charges. Appropriations are made to state agencies in this
act for purchase of automated data processing services from the division. In approving annual operating budgets, the department of finance and administration shall include not less than the following amounts for automated data processing services in the budgets of the following agencies:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Auditor</td>
<td></td>
<td>$ 186</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bureau of Revenue</td>
<td></td>
<td>560,417</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Radio Communications Department</td>
<td></td>
<td>3,027</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Motor Transportation</td>
<td></td>
<td>165,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office of Telecommunications</td>
<td></td>
<td>2,750</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Finance and Administration</td>
<td></td>
<td>317,976</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Motor Vehicles</td>
<td></td>
<td>568,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Personnel Board</td>
<td></td>
<td>59,400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Planning Office</td>
<td></td>
<td>14,511</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Treasurer</td>
<td></td>
<td>76,732</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Medical Examiners</td>
<td></td>
<td>339</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Professional Engineers and Land Surveyors</td>
<td></td>
<td>663</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corporation Commission -- Department of Insurance</td>
<td></td>
<td>28,812</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Game and Fish</td>
<td></td>
<td>1,435</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Park and Recreation Commission</td>
<td></td>
<td>2,252</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Police</td>
<td></td>
<td>59,169</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
There shall be an amount of not less than $225,000 in cash or receivables, remaining to the credit of the division at the end of each fiscal year. Balances remaining to the credit of the division at the end of the fiscal year shall not revert.

No expenditure shall be made from any funds appropriated in this act, except for appropriations made to higher education or the public school fund, for contracted automated systems design, specifications, programming, documentation or data processing services without the prior written approval of the director of the department of finance and administration.

DEPARTMENT OF FINANCE AND ADMINISTRATION:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Fund</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library Commission</td>
<td>$14,092</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Education</td>
<td></td>
<td>33,326</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item Fund</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) Salaries and expenses $2,187.4

(2) State transportation pool 540.1

(3) Surplus property 133.3

(4) Office of telecommunications -
    salaries and expenses 129.2

(5) Telecommunications equipment rental 1,905.0

(6) Investment council 204.0

(7) Interagency services 333.3

(8) Dues and memberships:
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Council of state governments</td>
<td>$18.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Federation of rocky mountain states</td>
<td></td>
<td></td>
<td>10.0</td>
<td></td>
</tr>
<tr>
<td>(c) Western interstate nuclear compact</td>
<td></td>
<td>10.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Four corners regional commission</td>
<td></td>
<td>31.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(e) Western interstate commission on higher education</td>
<td></td>
<td></td>
<td>28.0</td>
<td></td>
</tr>
<tr>
<td>(f) Education commission of the states, including travel and per diem of public members</td>
<td></td>
<td></td>
<td>11.0</td>
<td></td>
</tr>
<tr>
<td>(g) Rocky mountain corporation for public broadcasting</td>
<td></td>
<td></td>
<td>13.1</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$5,553.9</td>
</tr>
</tbody>
</table>

Balances remaining to the credit of accounts established under items (2), (3), (4), (5) and (6) shall not revert. The unencumbered balance in excess of $25,000 in the interagency services revolving fund shall revert to the general fund.

The appropriation made in item (6) is made from earnings on investments of permanent funds before distribution to the income funds as authorized by law.
In anticipation of reimbursement of federal funds to carry out the provisions of Laws 1970, Chapter 35, the director of the department of finance and administration may authorize the loan of funds from the operating reserve fund to the property control division. The loan should not exceed the federal share of project costs and shall be repaid upon reimbursement by the federal government.

**Educational Retirement Board:**

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Salaries and expenses</td>
<td>$ 328.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Administrative overhead</td>
<td>16.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$ 344.5</td>
</tr>
</tbody>
</table>

**Employment Security Commission Fund:**

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Governor salaries and expenses</td>
<td>268.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Lieutenant governor salaries and expenses</td>
<td>59.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Governor-elect staff and expenses</td>
<td>10.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) National governor's conference contribution</td>
<td>4.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) Contingent expense</td>
<td>30.0</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Included in the appropriation is the sum of $80,000 for defense of Indigent Juveniles.

**Governor and Lieutenant Governor:**

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Governor salaries and expenses</td>
<td>268.1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Lieutenant governor salaries and expenses</td>
<td>59.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Governor-elect staff and expenses</td>
<td>10.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) National governor's conference contribution</td>
<td>4.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) Contingent expense</td>
<td>30.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>General Fund</td>
<td>Other State Funds</td>
<td>Federal Funds</td>
<td>Total</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>--------------</td>
<td>-------------------</td>
<td>---------------</td>
<td>--------</td>
</tr>
<tr>
<td>(6) Governor’s residence</td>
<td>$ 18.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(7) Western governors’ conference</td>
<td>20.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(8) Lieutenant governors’ conference</td>
<td>12.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$ 419.6</td>
</tr>
</tbody>
</table>

Items (1), (2), (3), (4), (7) and (8) shall be disbursed on regular vouchers presented to the department of finance and administration, and items (5) and (6) shall be disbursed by warrants of the department of finance and administration on the basis of one-twelfth each month to the governor.

Appropriations for the office of lieutenant governor shall be expended on vouchers signed by the governor.

GOVERNOR -- MANPOWER PLANNING AND GRANT ADMINISTRATION:

| (1) Manpower planning                           | $ 194.6      |                   |               |        |
| (2) Office of economic opportunity              | 1.0          | 206.5             |               |        |
| (3) Criminal justice planning                   | 160.0        | 302.1             |               |        |
| (4) Energy task force                           | 44.0         | 44.6              |               |        |
| Subtotal                                        |              |                   |               | 952.8  |

MOTOR VEHICLE DEPARTMENT: 3,989.4

Except for the miscellaneous fees distributed under Section 64-11-10.1, NMSA 1953, all miscellaneous receipts of the department shall be deposited in the general fund. All fees collected and retained under the provisions of Section 64-13-75.2 NMSA 1953 shall be deposited in the
general fund. All receipts to the administrative inspection fund shall be transferred monthly into the general fund except that administrative service fees collected by appointed agents shall be returned in accordance with the provisions of Sections 64-2-19 and 64-2-20 NMSA 1953.

Six percent of total collections of drivers' license fees shall be credited to the general fund.

OIL AND GAS ACCOUNTING COMMISSION:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item Fund</td>
<td>Federal Funds</td>
<td>Total</td>
</tr>
<tr>
<td>$229.0</td>
<td>$26.7</td>
<td>$255.7</td>
</tr>
</tbody>
</table>

PUBLIC EMPLOYEES RETIREMENT ASSOCIATION:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Salaries and expenses</td>
<td>400.1</td>
</tr>
<tr>
<td>(2) Building maintenance</td>
<td>246.6</td>
</tr>
<tr>
<td>(3) Administrative overhead</td>
<td>32.3</td>
</tr>
<tr>
<td>(4) Legislative retirement and matching contribution</td>
<td>53.8</td>
</tr>
<tr>
<td>Subtotal</td>
<td>73.0</td>
</tr>
</tbody>
</table>

PUBLIC EMPLOYEES RETIREMENT BOARD--SOCIAL SECURITY DIVISION:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Salaries and expenses</td>
<td>57.0</td>
</tr>
<tr>
<td>(2) Administrative overhead</td>
<td>2.8</td>
</tr>
<tr>
<td>Subtotal</td>
<td>5</td>
</tr>
</tbody>
</table>

STATE COMMISSION OF PUBLIC RECORDS: 257.0

SECRETARY OF STATE: 308.9

STATE BOARD OF FINANCE:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Salaries and expenses</td>
<td>34.3</td>
</tr>
</tbody>
</table>

17
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Emergency fund</td>
<td>$ 35.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$ 69.3</td>
</tr>
<tr>
<td>STATE PERSONNEL BOARD:</td>
<td></td>
<td>$ 688.8</td>
<td></td>
<td>688.8</td>
</tr>
</tbody>
</table>
| The appropriation to the state personnel board is made from funds of the agencies, departments and institutions subject to state personnel board regulations and shall be prorated among them on the basis of the total budgeted amounts for personal services as approved by the department of finance and administration. These prorated assessments shall be transferred or paid by voucher to the state personnel board at the direction of the department of finance and administration.

None of the above appropriation shall be spent for promulgating or filing rules, policies or plans which have significant financial impact or would require significant future appropriations to maintain without prior specific legislative approval.

STATE PLANNING OFFICE: 324.8 $ 712.8 1,037.6

In addition to the above appropriation, there is appropriated the sum of $150,000 from the general fund for the purpose of saving harmless the state planning office from loss of federal funds available for continuing the present operations of the office. This contingent appropriation shall be disbursed only upon certification in writing by the state planning officer, approved by the director of the department of finance and administration, that federal funds to continue the agency's operation are not available; provided, however, that no funds...
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>shall be disbursed from this appropriation which would allow an opera-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ting budget greater than $1,037,000.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>STATE PURCHASING AGENT:</td>
<td>$ 175.5 $ 32.3</td>
<td>$ 20</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>PROPERTY APPRAISAL DEPARTMENT:</td>
<td>746.6</td>
<td></td>
<td>74</td>
</tr>
<tr>
<td>7</td>
<td>Expenditures of any funds appropriated in this act for mapping shall—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>be made only pursuant to contract entered into between the department—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and county. The contract shall include provision for payment to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>the department of actual costs of mapping services by the county.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Payment schedule shall provide for final payment not later than—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>three years from the date of the contract.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>BK</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The state’s share of proceeds of tax sale shall be deposited in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>the general fund.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>STATE TREASURER:</td>
<td>280.8</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>16</td>
<td>TOTAL EXECUTIVE</td>
<td></td>
<td></td>
<td>$ 29.0</td>
</tr>
</tbody>
</table>

D. INSPECTION AND REGULATION

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>The department of finance and administration may approve budget in—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>decreases in agencies in this category pursuant to Section 3, subsection—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>of this act.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>AVIATION BOARD:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>(1) Construction of airports</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and aviation services</td>
<td>$ 211.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>General Fund</td>
<td>Other State Funds</td>
<td>Federal Funds</td>
<td>Total</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------</td>
<td>-------------------</td>
<td>---------------</td>
<td>--------</td>
</tr>
<tr>
<td>(2) Salaries and expenses</td>
<td>$ 90.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Administrative overhead</td>
<td>13.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Aircraft purchase</td>
<td>16.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$330.9</td>
</tr>
<tr>
<td>DEPARTMENT OF BANKING:</td>
<td></td>
<td>$321.6</td>
<td></td>
<td>321.6</td>
</tr>
<tr>
<td>CONSTRUCTION INDUSTRIES COMMISSION:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Salaries and expenses</td>
<td>1,044.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Revolving fund</td>
<td>4.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>1,048.0</td>
</tr>
<tr>
<td>Included in item (1) is the sum of $30,000 for salaries and expenses of two mobile home inspectors.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funds appropriated in item (2) shall be used only for the purpose of establishing a revolving fund to be used for the purchase and resale of literature. There shall be an amount of $4,000 to the credit of the fund at the end of each fiscal year.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CORPORATION COMMISSION--ADMINISTRATION:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Salaries and expenses</td>
<td>695.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Refunds</td>
<td>.5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>696.0</td>
</tr>
<tr>
<td>DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL:</td>
<td>$269.6</td>
<td></td>
<td></td>
<td>269.6</td>
</tr>
<tr>
<td>STATE FIRE MARSHAL:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Salaries and expenses</td>
<td>206.5</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

20
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Administrative overhead</td>
<td></td>
<td></td>
<td>$10.5</td>
<td></td>
</tr>
<tr>
<td>(3) Feasibility study for vocational firemen's training school</td>
<td></td>
<td></td>
<td>$5.0</td>
<td>$15.5</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$22.0</td>
</tr>
<tr>
<td>HUMAN RIGHTS COMMISSION:</td>
<td>$102.4</td>
<td></td>
<td></td>
<td>102</td>
</tr>
<tr>
<td>The commission shall not expend funds from any source to investigate</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>alleged employment violations in cases involving firms employing more</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>than 14 persons except when the charging party refuses, in writing,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to have the equal employment opportunity commission investigate the</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>case.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LABOR AND INDUSTRIAL COMMISSION:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Salaries and expenses</td>
<td>$303.7</td>
<td></td>
<td></td>
<td>303</td>
</tr>
<tr>
<td>(2) Secretary and equipment</td>
<td></td>
<td></td>
<td>$10.5</td>
<td></td>
</tr>
<tr>
<td>(3) Contingency</td>
<td></td>
<td></td>
<td>$30.5</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>$344</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funds appropriated in item (3) may be expended only in the amount</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>that federal funds made available to the state under the provisions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>of the Emergency Employment Act in the 62nd fiscal year are decreased</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>in the 63rd fiscal year.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LIQUEFIED PETROLEUM GAS COMMISSION:</td>
<td>115.7</td>
<td></td>
<td></td>
<td>115</td>
</tr>
<tr>
<td>From moneys collected under the provisions of Sections 65-7-1 through</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>65-7-22 NYSA 1953, an amount of $1,000 shall be placed in a suspense</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>fund for the purpose of making refunds. All other receipts shall be</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>deposited in the general fund.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>General Fund</td>
<td>Other Funds</td>
<td>Federal Funds</td>
<td>Total</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>--------------</td>
<td>-------------</td>
<td>---------------</td>
<td>--------</td>
</tr>
<tr>
<td>PUBLIC SERVICE COMMISSION:</td>
<td>$323.4</td>
<td></td>
<td></td>
<td>$323.4</td>
</tr>
<tr>
<td>STATE RACING COMMISSION:</td>
<td>272.9</td>
<td></td>
<td></td>
<td>272.9</td>
</tr>
</tbody>
</table>

In the event the state scientific laboratory cannot provide necessary chemical tests requiring specialized equipment, an additional $58,000 is hereby appropriated to the commission to contract for such service.

| STATE MINE INSPECTOR:                    | 206.9        |             |               | 206.9  |
| CORPORATION COMMISSION—DEPARTMENT OF INSURANCE: | 380.7        |             |               | 380.7  |

TOTAL INSPECTION AND REGULATION $4,692.8

E. EXAMINING AND LICENSING BOARDS

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOARD OF PUBLIC ACCOUNTANCY:</td>
<td>$21.4</td>
<td></td>
<td></td>
<td>$21.4</td>
</tr>
<tr>
<td>BOARD OF EXAMINERS FOR ARCHITECTS:</td>
<td>13.4</td>
<td></td>
<td></td>
<td>13.4</td>
</tr>
</tbody>
</table>

For the sixty-third fiscal year, except as otherwise provided, appropriations are made for each of the following boards from unencumbered balances and revenues provided by law. Each board in this section except the state pharmacy board shall budget as part of the following amounts and pay into the general fund as administrative overhead five percent of total revenue received by it during the year.
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOARD OF BARBER EXAMINERS:</td>
<td>$ 27.4</td>
<td>$ 27</td>
<td></td>
<td>27</td>
</tr>
<tr>
<td>BOARD OF COMMISSIONERS OF THE STATE BAR:</td>
<td>140.0</td>
<td></td>
<td>140</td>
<td></td>
</tr>
<tr>
<td>BOARD OF BAR EXAMINERS:</td>
<td>27.1</td>
<td></td>
<td>27</td>
<td></td>
</tr>
<tr>
<td>BOARD OF CHIROPRACTIC EXAMINERS:</td>
<td>3.2</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>BOARD OF COSMETOLOGY:</td>
<td>77.0</td>
<td></td>
<td>77</td>
<td></td>
</tr>
<tr>
<td>BOARD OF DENTAL EXAMINERS:</td>
<td>17.7</td>
<td></td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>DRY CLEANING BOARD:</td>
<td>29.9</td>
<td></td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>BOARD OF EMBALMERS AND FUNERAL.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DIRECTORS:</td>
<td>5.4</td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>EMPLOYMENT AGENCY BOARD:</td>
<td>5.3</td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>BOARD OF HEARING AID DEALERS AND FITTERS:</td>
<td>2.7</td>
<td></td>
<td></td>
<td>2.7</td>
</tr>
<tr>
<td>MASSAGE BOARD:</td>
<td>1.6</td>
<td></td>
<td></td>
<td>1.6</td>
</tr>
<tr>
<td>BOARD OF MEDICAL EXAMINERS:</td>
<td>62.5</td>
<td></td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>NURSING HOME ADMINISTRATORS BOARD:</td>
<td>4.0</td>
<td></td>
<td></td>
<td>4.0</td>
</tr>
<tr>
<td>BOARD OF NURSES:</td>
<td>97.5</td>
<td></td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>BOARD OF EXAMINERS IN OPTOMETRY:</td>
<td>1.6</td>
<td></td>
<td></td>
<td>1.6</td>
</tr>
<tr>
<td>BOARD OF EXAMINERS IN OSTEOPATHY:</td>
<td>5.2</td>
<td></td>
<td></td>
<td>5.2</td>
</tr>
<tr>
<td>BOARD OF PHARMACY:</td>
<td>$ 129.7</td>
<td></td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>All income to the board shall be deposited in the general fund.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

23
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS: $49.4</td>
<td></td>
<td></td>
<td></td>
<td>49.4</td>
</tr>
<tr>
<td>BOARD OF PSYCHOLOGISTS EXAMINERS: 2.3</td>
<td></td>
<td></td>
<td></td>
<td>2.3</td>
</tr>
<tr>
<td>REAL ESTATE BOARD: 126.1</td>
<td></td>
<td></td>
<td></td>
<td>126.1</td>
</tr>
<tr>
<td>BOARD OF VETERINARY EXAMINERS: 10.4</td>
<td></td>
<td></td>
<td></td>
<td>10.4</td>
</tr>
<tr>
<td>TOTAL EXAMINING AND LICENSING</td>
<td></td>
<td></td>
<td></td>
<td>866.4</td>
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</table>

F. NATURAL RESOURCES

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIVESTOCK BOARD: $141.1 $1,095.6 $141.1 $1,377.8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOTION PICTURE INDUSTRY</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PROMOTION COMMISSION: 108.4</td>
<td></td>
<td></td>
<td></td>
<td>108.4</td>
</tr>
<tr>
<td>DEPARTMENT OF DEVELOPMENT:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Administration</td>
<td>256.7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Publications division</td>
<td>100.9</td>
<td>313.0</td>
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<tr>
<td>(3) Tourist division</td>
<td>590.6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Economic development division</td>
<td>386.5</td>
<td></td>
<td></td>
<td>4.1</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>1,651.4</td>
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</tbody>
</table>

Balances remaining to the credit of the publications division at the close of the fiscal year shall not revert.
<table>
<thead>
<tr>
<th>Item</th>
<th>Department of Game and Fish</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Salaries and expenses</td>
<td>$3,002.5</td>
<td>$844.1</td>
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<tr>
<td>(2)</td>
<td>Expansionary programs</td>
<td>250.0</td>
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<tr>
<td>(3)</td>
<td>Snowmobile Act administration</td>
<td>2.0</td>
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</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$4,055</td>
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</tbody>
</table>

Funds appropriated in item (2) shall be disbursed by the department of finance and administration after December 1, 1974 and only upon the certification by the department of game and fish that revenues for the 63rd fiscal year are expected to meet the agency's projections as presented in its budget request dated November 7, 1973.

<table>
<thead>
<tr>
<th>Item</th>
<th>Department of State Forestry</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Salaries and expenses</td>
<td>$205.3</td>
<td>39.1</td>
<td>220.4</td>
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<tr>
<td>(2)</td>
<td>Emergency fire suppression</td>
<td>20.0</td>
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<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>4</td>
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</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Commissioner of Public Lands</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1,334.4</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Oil Conservation Commission</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>779.4</td>
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</table>

The oil and gas accounting commission shall deduct and transfer to the general fund seven percent of the total collections from all oil and gas conservation tax for administrative overhead and collection costs.

<table>
<thead>
<tr>
<th>Item</th>
<th>State Park and Recreation Commission</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Salaries and expenses</td>
<td>964.7</td>
<td>225.2</td>
</tr>
<tr>
<td>(2)</td>
<td>Boat safety program</td>
<td></td>
<td>38.4</td>
</tr>
<tr>
<td>(3)</td>
<td>Bicentennial commission</td>
<td>20.0</td>
<td>45.0</td>
</tr>
</tbody>
</table>
Other General State Federal Total

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(4) Villanueva state park</td>
<td>$ 5,5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$1,298.8</td>
</tr>
</tbody>
</table>

Included in the funds appropriated in item (1) is the sum of $5,000 to be used to complete construction of two "vest pocket park" projects in the town of Bernalillo.

From the money collected under the provisions of the Boat Act, an amount of $100 shall be placed in a suspense fund for the purpose of making refunds.

PEANUT COMMISSION: $ 10.6 10.6

RAILROAD AUTHORITY: 6.5 6.5

The appropriation is contingent upon the contribution of an equal amount by the state of Colorado. Balances remaining at the close of the fiscal year in the joint account shall not revert.

NATURAL RESOURCES CONSERVATION COMMISSION: 125.1 125.1

STATE ENGINEER AND INTERSTATE STREAM COMMISSION:

(1) Salaries and expenses 1,728.8 603.3
(2) Irrigation works construction fund programs 961.0
(3) Improvement of Río Grande income fund programs 342.5

Subtotal 3,635.6

Subtotal 3,635.6
Within the appropriation from other state funds there are included the following appropriations from the irrigation works construction fund:

for agency operations, $603,300; for planning watershed projects benefitting irrigation in cooperation with the United States Department of agriculture under the Watershed Protection and Flood Prevention Act (P.L. 83-566), $75,000; for cooperating with the United States in programs authorized by Congress to reduce the non-beneficial evaporation and transpiration of water in the Pecos basin in New Mexico, $25,000; for constructing, improving, repairing and protecting from floods the dams, reservoirs, ditches, flumes and appurtenances within the state, $150,000. Not more than 15 percent of the total cost of any one project shall be paid out of the $150,000 appropriation and not more than $10,000 of the appropriated amount shall be spent on the works of any one community ditch. The state engineer may enter into cooperative agreements with the owners or commissioners of such facilities to insure that the work will be done in the most efficient and economical manner and may contract with the federal government or any of its agencies or instrumentalities which provide matching funds or assistance.

Also within the appropriation from other state funds, there is included $50,000 from the improvement of the Rio Grande income fund for use in behalf of the Elephant Butte irrigation district for interstate litigation expense involving the waters of the Rio Grande.

In addition to the above appropriations all receipts from the Pecos...
valley artesian conservancy district for repayment of the costs of the
Roswell basin watermaster to the state engineer for expenditure in
accordance with the budget submitted pursuant to the provisions of the
decree in State of New Mexico, et al. v. L. T. Lewis, et al., Chaves
County Cause No. 20794 and 22600 Consolidated are hereby appropriated.

All unappropriated balances in the irrigation works construction
fund and in the improvement of the Rio Grande income fund are appro-
priated for expenditure for the purposes of the trusts subject to the
approval of the department of finance and administration.

STATE FAIR: $ 3,578.6 $ 3,578.6

Notwithstanding the provisions of Section 45-20-15 NHSA 1953, the state
fair commission shall not issue bonds, negotiate loans or renegotiate
loans without the prior approval of the state board of finance.

TOTAL NATURAL RESOURCES $ 18,490.4

C. HEALTH, HOSPITALS, WELFARE AND OTHER INSTITUTIONS

Except as otherwise provided in this subsection, unencumbered balances
of appropriations in this subsection shall not revert.

The department of finance and administration may approve budget
increases in agencies in this category pursuant to Section 3, sub-
section C of this act.

CARRIE TINGLEY HOSPITAL FOR
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crippled Children:</td>
<td>1,161.3</td>
<td>269.0</td>
<td>72.0</td>
<td>1,502.</td>
</tr>
<tr>
<td>Commission on Alcoholism:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Salaries and expenses</td>
<td>390.3</td>
<td>149.0</td>
<td>401.4</td>
<td></td>
</tr>
<tr>
<td>(2) Albuquerque alcoholism treatment program</td>
<td>185.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Southwest mental health center alcoholism treatment program</td>
<td>10.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>1,135</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commission on Indian Affairs:</td>
<td>90.0</td>
<td></td>
<td></td>
<td>90.0</td>
</tr>
</tbody>
</table>

Unencumbered balances remaining at the close of the fiscal year from general fund appropriations shall revert to the general fund.

Department of Health and Social Services:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>31,824.0</td>
<td>6,525.8</td>
<td>71,727.9</td>
<td>110,077</td>
</tr>
</tbody>
</table>

The above appropriation includes and is not in addition to the following appropriations:

(a) Laws 1955, Chapter 196, Section 15;
(b) Fees collected pursuant to Section 67-28-9 NMSA 1953.

Included in the general fund appropriation to the agency is the sum of $100,000 to carry out the provisions of the Sanitary Projects Act.

Included in the general fund appropriation to the agency is the sum of $24,000 to the environmental improvement agency for financing additional milk inspection activities outside of Bernalillo county.
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>COMMISSION ON AGING</td>
<td>$36.8</td>
<td>$110.5</td>
<td>$147.3</td>
</tr>
<tr>
<td>5</td>
<td>Unencumbered balances remaining at the close of the fiscal year from general fund appropriations shall revert to the general fund.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>COMMITTEE ON CHILDREN AND YOUTH</td>
<td>41.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Unencumbered balances remaining at the close of the fiscal year from general fund appropriations shall revert to the general fund.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>DEPARTMENT OF HOSPITALS AND INSTITUTIONS:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>(1) Salaries and expenses</td>
<td>$13,043.7</td>
<td>$1,877.4</td>
<td>$3,708.1</td>
</tr>
<tr>
<td>11</td>
<td>(2) Bernalillo county mental health - mental retardation center</td>
<td>$1,042.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>(3) Southwest mental health center</td>
<td>$148.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>(4) Eastern New Mexico mental retardation project</td>
<td>$128.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>(5) Southwestern New Mexico services for the handicapped</td>
<td>$100.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>(6) Chaves county mental health center</td>
<td>$50.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>(7) Committee for services for the handicapped</td>
<td>$75.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Subtotal</td>
<td>$20,174.0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 25   | Items (2), (3), (4), (5), (6) and (7) shall be disbursed only upon
presentation by the appropriate representative of the respective centers to the department of the following:

(a) Certification that the center is rendering mental health and mental retardation services in accordance with the terms of a contract with the department of hospitals and institutions, and

(b) A certified statement in a form approved by the department reflecting services rendered during the previous month.

Any mental health center receiving funds appropriated by the state shall make its services available to any resident of the state.

Veterans Service Commission:

(1) Salaries and expenses $303.6
(2) Scholarships 16.0
Subtotal $319.6

Unencumbered balances remaining at the close of the fiscal year from general fund appropriations shall revert to the general fund.

Notwithstanding the provisions of Section 74-4-2 NMSA 1953, the appropriation made in item (2) shall be paid pursuant to the provisions of Sections 74-4-1, 74-4-3 and 74-4-4 NMSA 1953 on vouchers signed by the New Mexico veterans service commission.
### TOTALL HEALTH, HOSPITALS, WELFARE AND OTHER INSTITUTIONS

**Total:** $133,488.4

### H. PUBLIC SAFETY

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
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<tbody>
<tr>
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</tbody>
</table>

The department of finance and administration may approve budget in-
creases in agencies in this category pursuant to Section 2, subsection-

DEPARTMENT OF MILITARY AFFAIRS: $315.9 $275.1 $591.0

STATE ARMORY BOARD:

Balances remaining at the close of the fiscal year shall not revert.

CIVIL AIR PATROL:

5.5

DEPARTMENT OF CORRECTIONS:

6,096.3 2,105.0 350.7 8,552.0

It is the intent of the legislature that certified teaching personnel
employed by the department of corrections be excluded from the purview
of the Personnel Act.

TRAFFIC SAFETY COMMISSION:

STATE POLICE:

(1) Salaries and expenses 7,088.4 143.0 145.0

(2) Contingency 39.5

(3) Civilian salaries 76.1

Subtotal 7,492.0

Included in the appropriation to the state police are funds for the
operation and maintenance of the state police complex. The state

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police department may assess maintenance charges to those agencies which occupy the facility and which receive funds from non-state sources.

The appropriation shall be used to maintain the police officer complement of 310 men.

Sufficient funds are included to meet the state's contribution to the pension trust fund and the supplemental trust fund. Item (2) shall be disbursed by warrant of the department of finance and administration made payable to the state police board at its request. Notwithstanding the provisions of Section 39-2-13 NMSA 1953, the board may provide a uniform allowance of $25 per month for state policemen.

From the above appropriation, the stipend paid to state police recruits attending training school shall be paid on the basis of $500 per month.

Funds appropriated in Item (3) shall be used only for the purpose of providing a general salary upgrading for civilian employees of the department. Before expending funds in Item (3), the state police shall certify to the department of finance and administration that this upgrading is consistent with the salary schedule for employees in the classified service.

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
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<tr>
<td>2</td>
<td>Item</td>
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</tr>
</tbody>
</table>

LAW ENFORCEMENT ACADEMY: $135.4 $25.0 $175.0 $33

TRANSPORTATION AND EXTRADITION OF PRISONERS: 100.0
### GOVERNOR'S ORGANIZED CRIME PREVENTION COMMISSION

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 52.8</td>
<td>$ 200.0</td>
<td>$ 252.8</td>
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</tbody>
</table>

**TOTAL PUBLIC SAFETY**

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ 17,611.6</td>
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</tbody>
</table>

### STATE HIGHWAY COMMISSION

<table>
<thead>
<tr>
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<th>Other Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1. 100% state construction</td>
<td>$ 3,500.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2. Interstate</td>
<td>2,950.0</td>
<td>33,850.0</td>
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</tr>
<tr>
<td>1.3. Primary</td>
<td>4,780.0</td>
<td>8,870.0</td>
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<tr>
<td>1.4. Secondary</td>
<td>3,100.0</td>
<td>5,750.0</td>
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<tr>
<td>1.5. Urban</td>
<td>1,750.0</td>
<td>3,230.0</td>
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<tr>
<td>1.6. Design</td>
<td>3,419.7</td>
<td>3,530.0</td>
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<tr>
<td>1.7. District operations</td>
<td>33,964.9</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1.8. Planning</td>
<td>675.1</td>
<td>1,250.0</td>
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<tr>
<td>1.9. Administration</td>
<td>4,628.0</td>
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<td></td>
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</tr>
<tr>
<td>1.10. Capital outlay</td>
<td>3,600.0</td>
<td></td>
<td></td>
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<tr>
<td>1.11. Maintenance</td>
<td>2,508.1</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
General
Fund

Other
State
Funds

Federal
Funds

Total

Item

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

(12) Other federal construction

$ 1,750.0

Subtotal

$123.2

State funds in those line items where matching federal funds are available will be expended only for matching purposes. The department of finance and administration may permit revision and internal transfers of the amounts appropriated in this section. From the above appropriation for administration in item (9), the department shall pay its prorata share of the state personnel assessments. The state personnel office shall retain the responsibilities in accordance with Sections 5-4-28 through 5-4-46 NMSA 1953 for operation and management of the personnel section within the state highway department. In addition to the above, there is also appropriated to the department all income received from cooperative agreements for construction and maintenance projects.

J. OTHER EDUCATION

The department of finance and administration may approve budget in increases in agencies in this category pursuant to Section 3, subsection 6 of this act. BK

Except as otherwise provided in this subsection, unencumbered balances of appropriations in this subsection shall not revert.

ARTS COMMISSION:

$ 65.0

$ 12.2

$ 241.6
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>MUSEUM OF NEW MEXICO:</td>
<td>$ 1,022.8</td>
<td>$ 229.5</td>
<td>$ 42.2</td>
<td>$ 1,294.5</td>
</tr>
</tbody>
</table>

Included in the above appropriation are sufficient funds to assure operation of a complete perpetual inventory system of all assets of the museum of New Mexico by June 30, 1975. The state auditor shall certify to the legislature whether a complete perpetual inventory is in operation by June 30, 1975.

In addition to the amounts appropriated above, there is appropriated the sum of $25,000 from the general fund to the museum to be used only for the purpose of obtaining legal advice regarding the ownership of museum assets. The museum shall report progress quarterly to the legislative finance committee regarding expenses and activities associated with this appropriation.

OLD LINCOLN COUNTY MEMORIAL

COMMISSION:

LIBRARY COMMISSION:

Of the above appropriation, the amount of $274,000 may be used only for the purpose of saving harmless the library commission from the loss of federal F.G.L.S. Title 1 (P.L. 91-600) funds or other federal funds provided for the continuation of library extension services. Disbursements of all or part of these funds may be made only after the commission certifies, in writing, and the state board of finance determines that funds for this purpose are not available. Also included in the above appropriation is the sum of $100,000 for aid to local public libraries on the
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DEPARTMENT OF EDUCATION:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Salaries and expenses</td>
<td>$ 1,604.4</td>
<td>$ 201.0</td>
<td>$ 1,385.0</td>
<td></td>
</tr>
<tr>
<td>(2) Vocational rehabilitation:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Salaries and expenses</td>
<td>904.5</td>
<td>1,100.2</td>
<td>6,000.0</td>
<td></td>
</tr>
<tr>
<td>(b) Determination unit</td>
<td></td>
<td></td>
<td>800.0</td>
<td></td>
</tr>
<tr>
<td>(3) Textbook administration</td>
<td>66.6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$ 12,061.0</td>
</tr>
</tbody>
</table>

Funds for textbook administration are appropriated from funds of the federal Mineral Lands Leasing Act (30 USCA 181-214) for the fiscal year.

**NEW MEXICO TECHNICAL- VOCATIONAL SCHOOL:**

- N.M. Rito: 705.0 142.0 248.0 1,095.0

**NEW MEXICO SCHOOL FOR THE VISUALLY HANDICAPPED:**

- Included in the above appropriation to the New Mexico school for the deaf are funds for tuition and living expenses which may be paid to a school for the visually handicapped and deaf. Any resident New Mexico child who is both deaf and blind and who is certified educable...
by the New Mexico school for the deaf may qualify to receive a scholar-
ship for tuition and living expenses.

TECHNICAL- VOCATIONAL INSTITUTE:  $ 1,365.0 $ 2,501.0 $ 232.0 $ 4,098.0

The appropriation for the technical-vocational institute shall be
distributed by the chief of the public school finance division of
the department of finance and administration at the rate of $325 per
full-time equivalent student, provided that the total distribution
for the 63rd fiscal year shall not be greater than 60 percent of the
mill levy revenue received by the technical-vocational institute in
the 63rd fiscal year. In the event that distribution of any amount
of the general fund appropriation is precluded as a result of these
provisions, the excess shall revert to the general fund.

AREA VOCATIONAL SCHOOL FUND:  139.0  380.0  150.0  669.0

The rate for the purpose of distribution of this fund shall be $325
per full-time equivalent student.

TOTAL OTHER EDUCATION  $ 23,290.7

K. HIGHER EDUCATION

All revenues expended by state agencies enumerated in this category
shall be expended only subsequent to and in accordance with budget
approval by the board of educational finance and the department of
finance and administration. Except as otherwise provided, balances
remaining at the close of the fiscal year shall not revert.

In the event that actual revenues to state agencies in this category exceed the amounts appropriated from

1. federal funds,

2. other state funds in the form of revenues received in the sixty-third fiscal year or

3. other state funds in the form of receipts, earnings or balances from bond issue proceeds or

4. other state funds in the form of receipts or balances resulting from acts of the 1974-1975 legislative session or

5. other state funds in the form of scholarships, gifts, donations, private endowments or other gratuities received from an outside source; or

6. other state funds in the form of increased income from auxiliary activities

The department of finance and administration may approve the expenditure of such excess funds received pursuant to Section 3, subsection 6 of this act. Provided, that the department of finance and administration may approve the temporary use of balances which shall be returned to the original amount prior to the close of the 63rd fiscal year.

BOARD OF EDUCATIONAL FINANCE:

(1) Salaries and expenses $178.4 $58.0 $43.0
<table>
<thead>
<tr>
<th>Item Description</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico junior college</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>state support</td>
<td>$ 260.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State student loan</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>administration</td>
<td>170.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital outlay - handicapped</td>
<td>200.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy research and development</td>
<td>$ 2,000.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>$ 2,909.4</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sufficient funds are included in the appropriation made in item (1) to assure that budget information presented by the board of education to the 1973 legislature for all institutions enumerated in Article XII, Section 11 of the New Mexico constitution shall include but shall not be limited to the following: 1) all income sources available and explanation of how such source is applied in the budget calculations and 2) translation from institutional internal charts of accounts to budget forms which assures that like expenses are reported in like budget categories.

The appropriation made in item (2) for New Mexico junior college state support shall be distributed by the board of educational finance on the basis of $325 per full-time equivalent student. In the event that the appropriation is greater than the distribution based on $325 per full-time equivalent student, the remaining amount shall revert to the general fund.

The appropriation made in item (4) shall be used only for the...
The purpose of additional costs of remodeling four-year university facilities in order to make them more accessible to handicapped persons.

The appropriation in item (5) is made from the severance tax income fund created by Laws 1973, Chapter 294 for the 62nd and 63rd fiscal years for the purpose of funding energy research and development proposals of merit and potential benefit to the state submitted by higher educational institutions in the state. The board of educational finance shall adopt guidelines for the preparation, review, application, approval, monitoring and termination of such research and development proposals. The board of educational finance shall make a comprehensive, continuing survey of all federal and private-sector energy-related research and development grants and other funding; shall identify state- and nonstate-controlled research and development facilities in New Mexico and the research capabilities of each facility; and shall make information available to state- and nonstate-controlled research and development facilities in New Mexico concerning energy research and development grants and other funding availability. The board shall initiate, where appropriate, contact with state- and nonstate-controlled research and development facilities in New Mexico concerning energy research and development grants and other funding availability. The board shall initiate, where appropriate, contact with state- and nonstate-controlled research and development facilities in New Mexico which may be...
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current general purposes</td>
<td>$ 22,346.0</td>
<td>$ 6,300.0</td>
<td>$ 665.0</td>
<td></td>
</tr>
<tr>
<td>Inter-collegiate athletics</td>
<td>320.0</td>
<td>1,657.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research</td>
<td>470.0</td>
<td>777.0</td>
<td>6,175.0</td>
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<tr>
<td>Student exchange program</td>
<td>475.0</td>
<td>44.0</td>
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</tr>
<tr>
<td>Medical school--instruction</td>
<td>2,750.0</td>
<td>3,285.0</td>
<td>1,293.0</td>
<td></td>
</tr>
<tr>
<td>Educational television</td>
<td>300.0</td>
<td>155.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gallup branch</td>
<td>126.0</td>
<td>158.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern branch</td>
<td>152.0</td>
<td>183.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>College enrichment program</td>
<td>180.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cancer center</td>
<td>170.0</td>
<td>10.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical services program</td>
<td>50.0</td>
<td>4.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State medical investigator</td>
<td>351.0</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Public finance research program</td>
<td></td>
<td></td>
<td>25.0</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>19,075.4</td>
<td>12,162.7</td>
<td></td>
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</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>$ 79,659.2</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Included in the general fund appropriation in item (5) are sufficient funds to operate a family practice program and expand the allied health programs.

In addition to the appropriation in item (5), there is appropriated from the general fund the sum of $200,000 which shall be expended only...
In the amount that actual revenues from federal funds for instruction do not materialize as appropriated in item (5) for the sixty-third fiscal year. The general fund appropriation made in item (5) is contingent on the medical school giving preference in admissions to graduates of New Mexico high schools.

<table>
<thead>
<tr>
<th>Item Description</th>
<th>General Funds</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Current general purposes</td>
<td>$12,499.0</td>
<td>$2,640.0</td>
<td>$628.0</td>
<td></td>
</tr>
<tr>
<td>(2) Inter-collegiate athletics</td>
<td>342.0</td>
<td>574.0</td>
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</tr>
<tr>
<td>(3) Research</td>
<td>243.0</td>
<td>1,804.0</td>
<td>11,310.0</td>
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</tr>
<tr>
<td>(4) Agricultural activities</td>
<td>3,134.0</td>
<td>854.0</td>
<td>2,821.0</td>
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</tr>
<tr>
<td>(5) State department of</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>agriculture</td>
<td>722.0</td>
<td>375.0</td>
<td>36.5</td>
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</tr>
<tr>
<td>(6) Alamogordo branch</td>
<td>205.0</td>
<td>312.0</td>
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</tr>
<tr>
<td>(7) Carlsbad branch</td>
<td>161.0</td>
<td>165.0</td>
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</tr>
<tr>
<td>(8) Grants branch</td>
<td>99.0</td>
<td>98.5</td>
<td>2.5</td>
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</tr>
<tr>
<td>(9) San Juan branch</td>
<td>330.0</td>
<td>2,091.0</td>
<td>5.0</td>
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</tr>
<tr>
<td>(10) Dona Ana branch</td>
<td>168.0</td>
<td>198.0</td>
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<td></td>
</tr>
<tr>
<td>(11) Water resources research</td>
<td>126.0</td>
<td>57.0</td>
<td>350.0</td>
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</tr>
<tr>
<td>(12) Educational television</td>
<td>175.0</td>
<td>25.0</td>
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</tr>
<tr>
<td>(13) College opportunity program</td>
<td>90.0</td>
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<td></td>
<td></td>
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<tr>
<td>(14) Forestry research program</td>
<td>70.0</td>
<td>68.8</td>
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<td></td>
</tr>
<tr>
<td>(15) Other</td>
<td>7,241.9</td>
<td></td>
<td>1,654.4</td>
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</tbody>
</table>

43
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$ 51,675.6</td>
</tr>
</tbody>
</table>

Included within the appropriation in item (5) is the sum of $50,000 to be used to contract with the federal fish and wildlife service for services rendered in destroying predatory animals and rodent pests.

NEW MEXICO HIGHLANDS UNIVERSITY:

1. Current general purposes $3,199.0 $579.0 $230.0
2. Inter-collegiate athletics 115.0 69.0
3. Visiting scientist program 8.0
4. Open door program 38.0 3.6
5. Bilingual program 40.0 15.1
6. Academy of science program 27.0
7. Other 946.7 1,319.6

Subtotal 6,590.0

The loan received by highlands university under the terms of Laws 1965, Chapter 287, Section 6, shall be repaid from the proceeds of the bond issues authorized in Laws 1965, Chapter 238, in accordance with the following schedule: 20 percent of the total amount of the loan to be repaid from the 1975 issue.

The loan received by highlands university under the terms of Laws 1972, Chapter 98, Section 5, shall be repaid from the proceeds of the bond issues authorized in Laws 1965, Chapter 238, in accordance with the following schedule: 50 percent of the total amount of the loan to be repaid from the 1975 issue.
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Current general purposes</td>
<td>$1,853.0</td>
<td>$368.0</td>
<td>$9.0</td>
<td></td>
</tr>
<tr>
<td>(2) Inter-collegiate athletics</td>
<td>115.0</td>
<td>43.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) School bus driver institute</td>
<td>6.0</td>
<td>15.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) College opportunity program</td>
<td>35.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) Other</td>
<td>808.8</td>
<td>469.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$3,721</strong></td>
</tr>
<tr>
<td>(1) Current general purposes</td>
<td>5,316.0</td>
<td>1,074.0</td>
<td>102.0</td>
<td></td>
</tr>
<tr>
<td>(2) Inter-collegiate athletics</td>
<td>115.0</td>
<td>110.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Roswell branch</td>
<td>490.0</td>
<td>1,309.5</td>
<td>564.5</td>
<td></td>
</tr>
<tr>
<td>(4) Project newgate</td>
<td>80.0</td>
<td>35.0</td>
<td>20.0</td>
<td></td>
</tr>
<tr>
<td>(5) Clovis branch</td>
<td>142.0</td>
<td>374.0</td>
<td>25.0</td>
<td></td>
</tr>
<tr>
<td>(6) Educational television--operating</td>
<td>150.0</td>
<td>25.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(7) College opportunity program</td>
<td>52.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(8) Internal auditor</td>
<td>25.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(9) Other</td>
<td>3,903.7</td>
<td>857.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>14,770</strong></td>
</tr>
</tbody>
</table>

The appropriation made in item (8) shall be used only for employing an internal auditor who shall be responsible solely to the board of regents. The internal auditor shall hold no other position of responsibility or authority at the university.
The loan received by eastern New Mexico University under the
12 terms of Laws 1912, Chapter 98, Section 4, shall be repaid from the
13 proceeds of the bond issues authorized in Laws 1965, Chapter 238, in
14 accordance with the following schedule: 50 percent of the total amount
15 of the loan to be repaid from the 1975 issue.

NEW MEXICO INSTITUTE OF MINING
AND TECHNOLOGY:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>$1,646.0</td>
<td>$423.5</td>
<td>$21.5</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td>345.0</td>
<td>130.0</td>
<td>1,736.5</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td>750.0</td>
<td>45.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td>4.0</td>
<td>11.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td>60.0</td>
<td>60.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td>1,008.8</td>
<td></td>
<td>191.9</td>
<td></td>
</tr>
</tbody>
</table>

Subtotal $6,433.7

Included in the general fund appropriation in Item (3) is the amount
of $100,000 which is appropriated to the bureau of mines and mineral
resources from funds of the federal Mineral Lands Leasing Act
(30 USCA 181-214).

The appropriation made in Item (5) may be expended only in the
amount that other funds for the purchase of the microscope are received—
by the Institute.  

NEW MEXICO MILITARY INSTITUTE:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>151.0</td>
<td>1,608.0</td>
<td>25.0</td>
<td></td>
</tr>
</tbody>
</table>
The contingency appropriation made in subsection K of Section 4, Chapter 403, Laws 1973 is voided.

Tuition charges.--In the sixty-third fiscal year, the college-level educational institutions shall charge tuition which shall be in addition to earmarked fees according to the following:

<table>
<thead>
<tr>
<th>Institution</th>
<th>Resident Students</th>
<th>Non-Resident Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of New Mexico</td>
<td>$110.25 per semester</td>
<td>$525.00 per semester</td>
</tr>
<tr>
<td>New Mexico state university</td>
<td>110.25 per semester</td>
<td>525.00 per semester</td>
</tr>
<tr>
<td>New Mexico highlands university</td>
<td>63.00 per quarter</td>
<td>252.00 per quarter</td>
</tr>
<tr>
<td>Western New Mexico university</td>
<td>94.50 per semester</td>
<td>378.00 per semester</td>
</tr>
<tr>
<td>Eastern New Mexico university</td>
<td>94.50 per semester</td>
<td>378.00 per semester</td>
</tr>
<tr>
<td>New Mexico institute of mining</td>
<td>110.25 per semester</td>
<td>525.00 per semester</td>
</tr>
<tr>
<td>New Mexico military institute</td>
<td>130.00 per semester</td>
<td>420.00 per semester</td>
</tr>
<tr>
<td>University of New Mexico</td>
<td>$9.19 per semester hour</td>
<td>$43.75 per semester hour</td>
</tr>
<tr>
<td>New Mexico state university</td>
<td>9.19 per semester hour</td>
<td>43.75 per semester hour</td>
</tr>
</tbody>
</table>

Item | General Fund | Other State Funds | Federal Funds | Total |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Inter-collegiate athletics</td>
<td>$105.0</td>
<td>$44.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Capital outlay</td>
<td>35.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4) Other</td>
<td>1,476.2</td>
<td>188.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td>$3,633.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>General Fund</td>
<td>Other State Funds</td>
<td>Federal Funds</td>
<td>Total</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------</td>
<td>-------------------</td>
<td>---------------</td>
<td>-------</td>
</tr>
<tr>
<td>Part-Time Residency Students</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Mexico Highlands University</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western New Mexico University</td>
<td></td>
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<tr>
<td>Eastern New Mexico University</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Mexico Institute of Mining and Technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part-Time Non-Residency Students</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Mexico Highlands University</td>
<td></td>
<td></td>
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<tr>
<td>Western New Mexico University</td>
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<tr>
<td>Eastern New Mexico University</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>New Mexico Institute of Mining and Technology</td>
<td></td>
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</tr>
</tbody>
</table>

The above tuition schedules shall not apply to the medical school at the university of New Mexico nor to the branch community colleges.

In the sixty-third fiscal year, the branch community colleges shall charge tuition which shall be in addition to earmarked fees according to the following:

- Resident full-time academic students: $150.00 per semester
- Non-resident full-time academic students: $500.00 per semester
- Resident part-time academic students: $30.00 per semester hour
- Non-resident part-time academic students: $40.00 per semester hour
- Full-time vocational students: $90.00 per semester
- Part-time vocational students: $25 per contact hour

TOTAL HIGHER EDUCATION: $169,593.7

L. PUBLIC SCHOOL SUPPORT

For the sixty-third fiscal year, the following appropriations are made.
from the general fund or other funds as indicated for the purposes
expressed or so much thereof as may be necessary within available
revenues for the fiscal year. The appropriation made to the public
school fund shall be reduced by the amounts transferred to the public
school fund from the current school fund, the funds of the federal
Mineral Lands Leasing Act (30 USCA 181-214) for the fiscal year
and all balances of and receipts to the state revenue sharing trust
fund through June 30, 1975 not otherwise appropriated. Such funds,
balances and receipts are hereby appropriated.

Unencumbered balances remaining to the credit of accounts set BK
out in this section shall revert to the general fund at the end of
the fiscal year unless otherwise indicated.

Expenditures of all funds from any source whatsoever shall be
made only in accordance with budgets approved by the department of
finance and administration as provided by law.

PUBLIC SCHOOL FUND:

(1) State equalization
guarantee distribution
@ $616.50 per program unit $183,880.7

(2) Transportation distributions:

(a) Regular 11,245.1
(b) Special 784.0
(c) Vocational 50.0
(3) Supplemental distributions:

<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Out-of-state tuition</td>
<td>$150.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Emergency</td>
<td>150.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Program enrichment</td>
<td>489.2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Special vocational education</td>
<td>150.0</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subtotal                                          $196,899.0

Included in item (1) is an amount of $800,000 in addition to the $396,000 in subsection (A3) which is to be used for early childhood education if House Bill 44 of the Thirty-First Legislature, Second Session becomes law.

Distributions from the public school fund shall be allocated and paid to the school districts by the chief, public school finance division, in accordance with the following provisions:

(A) State equalization guarantee distribution.--In accordance with provisions of Section 77-6-19 NMSA 1953, the chief shall compute the amount necessary for a state equalization guarantee distribution.

Provided, however, the state department of education shall not approve programs that, at full funding per program unit as provided in item (1), would require more from the appropriation in item (1) than the following amounts allocated for:

(1) Special education

A/B, C and D                                     8,960.0
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(4) Vocational education</td>
<td>$2,296.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Early childhood education</td>
<td></td>
<td>$896.0</td>
<td></td>
<td>$896.0</td>
</tr>
<tr>
<td>(4) Bilingual multicultural education</td>
<td></td>
<td></td>
<td>$1,000.0</td>
<td>$1,000.0</td>
</tr>
</tbody>
</table>

If full funding per program unit would result in a decrease of programs approved for 1973-74, the state department of education is authorized to decrease the dollar per program unit as necessary in order to maintain existing programs.

In approving programs for bilingual multicultural education, the state department of education shall assure that students whose only language is English are eligible for admission to the program. Provided, however, first priority for such programs shall be given to students whose mother tongue is other than the English language.

(B) Transportation.--The appropriation shall be distributed in accordance with Sections 77-6-22 and 77-6-23, NMSA 1953 except that the appropriation in item (2c) shall be used only for the purpose of making payments to school districts for transportation costs of students from their regular attendance center to the place where vocational education programs are being offered.

Included in the appropriations for school transportation are sufficient funds to provide increases in depreciation allowance and administration and supervision costs of 10 percent and 12 percent.
respectively for reimbursements to school bus contractors.

(C) Supplemental distribution.--The appropriation for supplemental purposes shall be distributed in accordance with provisions of Section 77-6-29, NMSA 1953.

Of the appropriation in item (3c) the maximum amounts for the purposes stated may be allocated to school districts:

(a) for special education diagnostic services, $239,250

(b) for bilingual-bicultural demonstration and teacher training centers, the necessary educational services centers and the bilingual teacher training network, $249,950.

(U) Included in Item (1) is an amount to provide safe harbor in accordance with House Bill 85, Section 22, Thirty-First Legislature, Second Session, if it becomes law.

It is the intent of the legislature that local boards of education, in budgeting any funds available for the 63rd fiscal year, place high priority on increasing the salary levels of all certified and non-certified public school personnel.

FREE TEXTBOOK FUND: $ 3,124.8

The appropriation to the textbook fund is made from funds of the federal Mineral Lands Leasing Act (30 USCA 181-214), Balances shall not revert.

TOTAL PUBLIC SCHOOL SUPPORT $200,024.8
Section 5. EMERGENCY AND DEFICIENCY APPROPRIATIONS.--There is
appropriated from the general fund, or other funds, as indicated for
the 62nd fiscal year, unless otherwise indicated, the amounts set out
below to meet emergencies and deficiencies,

(1) Administrative office of the courts: $ 70.0
To be used to pay outstanding vouchers of the 61st fiscal year for various judicial districts.

(2) State police: 55.6
To be used to cover overexpenditures of the 60th and 61st fiscal years.

(3) State police: 19.7
To be used to meet the increased costs of gasoline and oil.

(4) State police: 400.0
To be used in the 62nd and 63rd fiscal years for the regular replacement of state police automobiles.

(5) Administrative office of the courts: 36.2
To be used to meet increased costs of employee benefits.

(6) First judicial district court: 4.4
To be used to meet necessary operating expenses.
<table>
<thead>
<tr>
<th>Item</th>
<th>General Fund</th>
<th>Other State Funds</th>
<th>Federal Funds</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(7)</td>
<td>Fifth Judicial district court: $15.4</td>
<td></td>
<td></td>
<td>$15.4</td>
</tr>
<tr>
<td></td>
<td>To be used to meet necessary operating expenses.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td>Motor vehicle department: 30.0</td>
<td></td>
<td></td>
<td>30.0</td>
</tr>
<tr>
<td></td>
<td>To be used to assume the operation of the Gallup field office.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td>State personnel board:</td>
<td>$21.7</td>
<td></td>
<td>21.7</td>
</tr>
<tr>
<td></td>
<td>The appropriation is made from available cash balances for meeting necessary operating expenses.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(10)</td>
<td>Corporation commission:</td>
<td>31.3</td>
<td></td>
<td>31.3</td>
</tr>
<tr>
<td></td>
<td>To be used to meet necessary operating expenses.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(11)</td>
<td>Human rights commission:</td>
<td>7.2</td>
<td></td>
<td>7.2</td>
</tr>
<tr>
<td></td>
<td>To be used to meet necessary operating expenses.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(12)</td>
<td>Labor and Industrial commission: 15.4</td>
<td></td>
<td></td>
<td>15.4</td>
</tr>
<tr>
<td></td>
<td>The appropriation may be expended only in the amount that federal funds made available under the provisions of the Emergency Employment Act in the 61st fiscal year are decreased in the 62nd fiscal year.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(13)</td>
<td>Public service commission:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The commission may expend the amount appropriated in Laws 1973, Chapter 403, Section 4, subsection D, line Item: &quot;salary and benefits for staff director&quot;, for necessary operating expenses instead.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(14)</td>
<td>Racing commission:</td>
<td>20.0</td>
<td></td>
<td>20.0</td>
</tr>
<tr>
<td></td>
<td>To be used to meet necessary operating expenses.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>General Fund</td>
<td>Other State Funds</td>
<td>Federal Funds</td>
<td>Total</td>
</tr>
<tr>
<td>------</td>
<td>--------------</td>
<td>-------------------</td>
<td>---------------</td>
<td>-------</td>
</tr>
<tr>
<td>(15) Commission on aging:</td>
<td>$5.5</td>
<td></td>
<td>$5.5</td>
<td></td>
</tr>
<tr>
<td>To be used to meet necessary operating expenses.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(16) Transportation and extradition of prisoners:</td>
<td>30.0</td>
<td></td>
<td>30.0</td>
<td></td>
</tr>
<tr>
<td>To be used to meet necessary operating expenses.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(17) Eastern New Mexico university:</td>
<td>260.0</td>
<td></td>
<td>260.0</td>
<td></td>
</tr>
<tr>
<td>The appropriation shall be used to eliminate all debt service deficiencies. On June 30, 1974 the contingency and replacement reserve shall have a balance of $33,800 and the bond reserve account shall have a balance of $515,600. The university shall not borrow nor expend these reserves contrary to the provisions of the bond indentures. Balances shall not revert.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(18) New Mexico state university:</td>
<td>114.0</td>
<td></td>
<td>114.0</td>
<td></td>
</tr>
<tr>
<td>To be used for needed capital outlay of the forestry research program during 62nd and 63rd fiscal years.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(19) Public school fund:</td>
<td>555.0</td>
<td></td>
<td>555.0</td>
<td></td>
</tr>
<tr>
<td>The appropriation may be used to offset unanticipated increases in cost of liquified petroleum gas and other heating fuel and for unanticipated decreases in school district membership. The appropriation shall be disbursed as provided in Section 77-6-29(3) NMSA 1953.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 6. RESERVE FUNDS.—There is appropriated to the "Operating Reserve Fund" from the unappropriated balance in the general fund at
June 30, 1974, the sum of $5,000,000 to bring the balance in the fund
to $20,000,000. The operating reserve fund shall be used only upon
specific authorization of the legislature and only in the event reve-
nues to and balances carried forward in the general fund fail to meet
the level of appropriations authorized.

There is appropriated to the "State Support Reserve Fund" created
by Section 77-6-30 NMSA 1953 from the unappropriated balance in the
general fund at June 30, 1974, the sum of $3,000,000 to bring the
balance in the fund to $5,000,000.

Section 7. CONTINGENCY FOR MOTOR VEHICLE FUEL PRICE INCREASE.--The
following contingent appropriations are made from the unappropriated
balance in the general fund at June 30, 1974, or so much thereof as may
be necessary for the purposes specified.

(1) Public school fund--transportation:
   (a) Regular $ 109.2
   (b) Special 8.2
   Subtotal $ 117.4

The director of school transportation may draw upon this con-
tingency appropriation during the 62nd fiscal year to meet
unanticipated increases in price of motor vehicle fuel. The
appropriation shall be disbursed as provided in Sections 77-6-22
and 77-6-23 NMSA 1953.

(2) Public school fund--transportation:
(a) Regular $325.5
(b) Special 24.5

Subtotal $350.0

The director of school transportation may draw upon this contingency appropriation during the 63rd fiscal year to meet increases in price of motor vehicle fuel. The appropriation shall be disbursed as provided in Sections 77-6-22 and 77-6-23 NMSA 1953.

Section 8. CONTINGENCY CLAUSE. The appropriations made in this General Appropriation Act of 1974 are contingent upon the definitions and general provisions contained in Sections 2, 3 and 8 of this act.

Section 9. SEVERABILITY. If any part or application of this act is held invalid, the remainder of the act or its application to other situations or persons shall not be affected.
The Legislature
of the
State of New Mexico

Laws 1960

CHAPTER 5

HOUSE BILL NO. 19

Introduced by
AN ACT

RELATING TO EDUCATIONAL RETIREMENT; AMENDING CERTAIN SECTIONS OF THE EDUCATIONAL RETIREMENT ACT.

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

Section 1. Section 77-9-20 NMSA 1953 (being Laws 1967, Chapter 16, Section 144) is amended to read:

"77-9-20. CONTRIBUTIONS--MEMBERS--LOCAL ADMINISTRATIVE UNITS.--

A. Each member shall make contributions to the fund in the amount of five and one-half percent of his annual salary.

B. Each local administrative unit shall make a yearly contribution to the fund of a sum equal to six and one-half percent of the annual salary of each member employed by the local administrative unit."

Section 2. Section 77-9-22 NMSA 1953 (being Laws 1967, Chapter 16, Section 146, as amended) is amended to read:

"77-9-22. RETIREMENT ELIGIBILITY.--

A. Prior to July 1, 1974:

(1) a member shall be eligible for retirement benefits pursuant to the Educational Retirement Act when either of the following conditions occurs:

(a) upon completion of fifteen years earned service-credit and upon becoming sixty years of age; or

(b) upon completion of five years earned service-credit and upon becoming sixty-five years of age;"
(2) a member under sixty years of age acquiring thirty
or more years of earned and allowed service-credit may retire and re-
ceive the actuarial equivalent of the retirement benefits pursuant to
the Educational Retirement Act that he would be eligible to receive if
he were to retire at the age of sixty years; or

(3) a member under sixty years of age acquiring thirty-
five or more years of earned and allowed service-credit may retire and
receive retirement benefits pursuant to the Educational Retirement Act
computed on the same basis as if the member were sixty years of age.

B. On and after July 1, 1974:

(1) a member shall be eligible for retirement benefits
pursuant to the Educational Retirement Act when either of the following
conditions occurs:

(a) when the sum of the member's age and years of
earned service-credit equals seventy-five; or

(b) upon completion of five years earned service-
credit and upon becoming sixty-five years of age;

(2) a member under sixty years of age eligible to re-
tire under Subsection B (1) of this section may retire and receive
retirement benefits pursuant to the Educational Retirement Act that
he would be eligible to receive if he were to retire at the age of
sixty years reduced by one and two-tenths percent for each one-fourth,
or portion thereof, year that retirement occurs prior to age sixty; or

(3) a member under sixty years of age acquiring thirty-
five or more years of earned and allowed service-credit may retire and
Section 3. Section 77-9-26 NMSA 1953 (being Laws 1967, Chapter 16, Section 150, as amended) is amended to read:

"77-9-26. DEFERRED RETIREMENT--RESTRICTION.--

A. A member eligible for retirement may continue in employment and shall continue to pay contributions as provided by the Educational Retirement Act.

B. A member may terminate his employment and retire at any time after his age and his earned service-credit equal the sum of seventy-five, if the contributions he has made are left in the fund.

C. A member having five years or more of earned service-credit may terminate his employment and retire at any time after reaching the age of sixty-five years if the contributions he has made are left in the fund.

D. No member shall be on a retirement status while engaged in employment."

Section 4. Section 77-9-29 NMSA 1953 (being Laws 1967, Chapter 16, Section 153, as amended) is amended to read:

"77-9-29. RETIREMENT BENEFITS.--

A. Retirement benefits for a member retired pursuant to the Educational Retirement Act on or before June 30, 1967, shall be paid monthly and shall be one-twelfth of a sum equal to one and one-half percent of the first four thousand dollars ($4,000) of the member's average annual salary and one percent of the remainder of the member's
average annual salary multiplied by the number of years of the member's total service-credit.

B. Retirement benefits for a member retired pursuant to the Educational Retirement Act on or after July 1, 1967, but on or before June 30, 1971, shall be paid monthly and shall be one-twelfth of a sum equal to one and one-half percent of the first six thousand six hundred dollars ($6,600) of the member's average annual salary and one percent of the remainder of the member's average annual salary multiplied by the number of years of the member's total service-credit.

C. Retirement benefits for a member retired pursuant to the Educational Retirement Act on or after July 1, 1971, but on or before June 30, 1974, shall be paid monthly and shall be one-twelfth of a sum equal to one and one-half percent of the member's average annual salary multiplied by the number of years of the member's total service-credit.

D. Retirement benefits for a member retired pursuant to the Educational Retirement Act on or before June 30, 1974, but returning to employment on or after July 1, 1974, for a cumulation of one or more years shall be computed pursuant to Subsection E of this section. Retirement benefits for a member retired pursuant to the Educational Retirement Act on or before June 30, 1974, but returning to employment on or after July 1, 1974, for a cumulation of less than one year shall be computed pursuant to Subsection A of this section, if his date of last retirement was on or before June 30, 1967, or pursuant to Subsection B of this section if his date of last retirement was on or after July 1, 1967, but not later than June 30, 1971, or pursuant to
Subsection C of this section if his date of last retirement was on or after July 1, 1971, but not later than June 30, 1974.

E. Retirements benefits for a member, age sixty or over, retired pursuant to the Educational Retirement Act on or after July 1, 1974, shall be paid monthly and shall be one-twelfth of a sum equal to one and one-half percent of the member's average annual salary multiplied by the number of years of service-credit for (1) prior employment and (2) allowed service-credit for service performed prior to July 1, 1957, plus two percent of the member's average annual salary multiplied by the number of years of service-credit for (1) contributory employment and (2) allowed service-credit for service performed after July 1, 1957.

F. A member's average annual salary, pursuant to this section, shall be computed on the basis of the last five years for which contribution was made, or upon the basis of any consecutive five years for which contribution was made by the member, whichever is higher.

Section 5. Section 77-9-30 NMSA 1953 (being Laws 1957, Chapter 16, Section 154, as amended) is amended to read:

"77-9-30. RETIREMENT BENEFITS--COST OF LIVING INCREASE.-- The monthly retirement benefits, including any cost of living increase granted pursuant to the terms of this section prior to its amendment as of July 1, 1974, for a member, or his surviving beneficiary, retired pursuant to the Educational Retirement Act on or before June 30, 1974, or for a person retired pursuant to any law repealed by the
Educational Retirement Act, shall be increased by four percent effective July 1, 1974."

Section 6. EFFECTIVE DATE.--The effective date of this act is July 1, 1974.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 7

HOUSE BILL NO. 44, as amended

Introduced by

REPRESENTATIVES WILLIAM E. WARREN, JOHN R. TOMLIN, ABEL E. McBRIDE, HOYT PATTISON, SAMUEL F. VIGIL, ELOY P. QUINTANA AND BOBBY F. DURAN
AN ACT

RELATING TO COMPEULSORY SCHOOL ATTENDANCE; AMENDING SECTIONS 77-6-2
AND 77-10-2 NMSA 1953 (BEING LAWS 1967, CHAPTER 16, SECTIONS 56 AND
170, AS AMENDED).

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

Section 1. Section 77-6-2 NMSA 1953 (being Laws 1967, Chapter
16, Section 56, as amended) is amended to read:

"77-6-2. DEFINITIONS.--As used in the Public School Finance Act:

A. "division" means the public school finance division of
the department of finance and administration;

B. "qualified student" means a public school student who:

   (1) has not graduated from high school;

   (2) is regularly enrolled in one-half or more of the
   minimum course requirements approved by the state board for public
   school students; and

   (3) is at least six years of age prior to 12:01 a.m.:

      (a) on January 1 of the school year, if approved
      early childhood education programs are not provided for the student
      by the school district;

      (b) on December 1, 1974, for the school year
      1974-75, if approved early childhood education programs are provided
      for the student by the school district;

      (c) on November 1, 1975, for the school year
      1975-76, if approved early childhood education programs are provided

House BILL 44, as amended
Approved February 16, 1974
for the student by the school district; 

(d) on October 1, 1976, for the school year 1976-77, if approved early childhood education programs are provided for the student by the school district; 

(e) on September 1, 1977, for the school year 1977-78, and all succeeding school years, if approved early childhood education programs are provided for the student by the school district; 

C. "membership" means the total enrollment of qualified students for each school day of the school year used, minus withdrawals of qualified students, divided by the number of school days of the school year used. Withdrawals of qualified students, in addition to qualified students formally withdrawn from the public school, includes qualified students absent from the public school for as many as ten consecutive school days; 

D. "basic program" means that educational program for each school district which the state shall support by the basic distribution; 

E. "basic distribution" means that dollar distribution based on the computations provided in Sections 77-6-18 through 77-6-18.5 and 77-6-19 through 77-6-19.3 NMSA 1953; and 

F. "supplemental distribution" means that dollar distribution approved by the state superintendent and the chief which is distributed by the chief for the purpose of funding for specific educational purposes."

Section 2. Section 77-10-2 NMSA 1953 (being Laws 1967, Chapter
16, Section 170, as amended) is amended to read:

"77-10-2. COMPULSORY SCHOOL ATTENDANCE--RESPONSIBILITY.--

A. Any qualified student, as defined by the Public School Finance Act, until attaining seventeen years of age shall attend a public school, a private school maintaining courses of instruction approved by the state board, or a program of instruction offered by a state institution. A person may be excused from this requirement if:

1. the person is specifically exempted by law from the provisions of this section;
2. the person has graduated from a high school approved by the department of education;
3. with consent of the parent, guardian, or person having custody and control of the person to be excused, the person is excused from the provisions of this section by the superintendent of schools of the school district in which the person is a resident, and such person is under eight years of age;
4. the person is a high school student and has passed the general educational development test;
5. the person is a high school student and can prove to the local school board that he is not personally benefiting from a high school program or has a justifiable reason for not attending school;
6. the person is a high school student and can prove to the local school board that he has a plan for pursuing educational interests that the school is not satisfying; or
(7) the person is judged, based on standards and procedures adopted by the state board of education, to be unable to benefit from instruction because of mental, physical or emotional conditions.

B. A person subject to the provisions of the Compulsory School Attendance Law shall attend school for at least the length of time of the school year that is established in the school district in which the person is a resident.

C. Any parent, guardian or person having custody and control of a person subject to the provisions of the Compulsory School Attendance Law is responsible for the school attendance of that person.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 8

HOUSE BILL NO. 83, AS AMENDED.

Introduced by

REPRESENTATIVES WILLIAM E. WARREN, JOHN R. TOMLIN
ABEL E. McBRIDE AND SAMUEL F. VIGIL
CHAPTER 8

AN ACT

RELATING TO PUBLIC SCHOOL FINANCE; AMENDING, REPEALING AND ENACTING CERTAIN SECTIONS OF THE NMSA 1953.

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

Section 1. Section 77-5-2 NMSA 1953 (being Laws 1967, Chapter 16, Section 56, as amended) is repealed and a new Section 77-6-2 NMSA 1953 is enacted to read:

"77-6-2. DEFINITIONS.--As used in the Public School Finance Act:

A. "ADM" means average daily membership;

B. "average daily membership" means the total enrollment of students for each school day of the school year used, minus withdrawals of students, divided by the number of school days of the school year used. Withdrawals of students, in addition to students formally withdrawn from the public school, includes students absent from the public school for as many as ten consecutive school days;

C. "basic program ADM" means the average daily membership of qualified students in the basic program and includes the ADM in special education program Classes A and B, as defined in Section 77-6-18.4 NMSA 1953, but excludes the full-time equivalent ADM in early childhood education programs and ADM in special education program Classes C and D, as defined in Section 77-6-18.4 NMSA 1953;

D. "cost differential factor" is the numerical expression of the ratio of the cost of a particular segment of the school pro-

House Bill 85, as amended
Approved February 16, 1974
gram to the cost of the basic program in grades four through six;

E. "division" means the public school finance division of
the department of finance and administration;

F. "full-time equivalent ADM" is that average daily mem-
bership calculated by applying to the ADM in an approved public
school program the ratio of the number of hours per school day de-
voted to the program to six hours or the number of hours per school
week devoted to the program to thirty hours;

G. "early childhood education ADM" means the full-time
equivalent ADM of students attending approved early childhood educa-
tion programs;

H. "program cost" is the product of the total number of
program units to which a school district is entitled multiplied by
the dollar value per program unit established by the legislature;

I. "program element" is that component of a public school
system to which a cost differential factor is applied to determine
the number of program units to which a school district is entitled,
including but not limited to ADM, full-time equivalent ADM, teacher,
classroom or public school;

J. "program unit" is the product of the program element
multiplied by the applicable cost differential factor;

K. "qualified student" means a public school student who
(1) has not graduated from high school;
(2) is regularly enrolled in one-half or more of the
minimum course requirements approved by the state board for public
school students; and

(3) is at least six years of age prior to 12:01 a.m.;

(a) on January 1 of the school year, if approved early childhood education programs are not provided for the student by the school district;

(b) on December 1, 1974, for the school year 1974-75, if approved early childhood education programs are provided for the student by the school district;

(c) on November 1, 1975, for the school year 1975-76, if approved early childhood education programs are provided for the student by the school district;

(d) on October 1, 1976, for the school year 1976-77, if approved early childhood education programs are provided for the student by the school district; or

(e) on September 1, 1977, for the school year 1977-78, and all succeeding school years, if approved early childhood education programs are provided for the student by the school district; and

L. "special education ADM" means the average daily membership in approved special education programs as defined in Section 77-6-18.4 NMSA 1953."

Section 2. Section 77-6-4 NMSA 1953 (being Laws 1967, Chapter 16, Section 58, as amended) is amended to read:

"77-6-4. PUBLIC SCHOOL FINANCE DIVISION--DUTIES.--In addition to other duties provided by law, the division shall:
A. prescribe the forms for, and supervise and control the
preparation of, all budgets of all public schools and school dis-
tricts;
B. compile accurate information concerning public school
finance and administration; and
C. advise and consult with the state superintendent in
regard to financial matters affecting public schools and school dis-
tricts."

Section 3. Section 77-6-14 NMSA 1953 (being Laws 1967, Chapter
16, Section 68, as amended) is repealed and a new Section 77-6-14
NMSA 1953 is enacted to read:

"77-6-14. MEMBERSHIP REPORTS.--

A. Each local school board shall require each public school
in its school district to keep accurate records concerning membership
in the public school. The superintendent of each school district
shall furnish to the department of education and, when required by
the chief, to the division, the following reports for each twenty-day
reporting period not later than five days following the close of each
reporting period:

(1) the basic program ADM by grade in each public
school;
(2) the early childhood education ADM;
(3) the special education ADM in each public school by
classes as defined in Section 77-6-18.4 NMSA 1953; and
(4) the full-time equivalent ADM for the following ap-
proved programs:

(a) vocational education; and
(b) bilingual-multicultural education.

B. The superintendent of each school district shall furnish to the department of education and, when required by the chief, to the division, cumulative reports of the information required in Paragraphs (1) through (4) of Subsection A of this section for the first forty days of the school year, the first eighty days of the school year and for the entire school year. The reports for the first forty days and the first eighty days shall be furnished within five days of the close of the cumulative reporting period. The report for the entire school year shall be furnished not later than fifteen days following the end of each school year. When the chief does not require that school district reports be submitted directly to him, the state superintendent shall furnish to the chief the forty-day reports by December 1 of each year, the eighty-day reports by February 1 of each year and the entire school year report by July 1 of each year.

C. All information required pursuant to this section shall be on forms prescribed and furnished by the department of education. A copy of any report made pursuant to this section shall be kept as a permanent record of the school district and shall be subject to inspection and audit at any reasonable time.

D. The state superintendent shall notify the chief, in writing, of any school district superintendent's failure to comply
with the requirements of this section. The chief shall withhold allo-
lotments of funds to any school district where the superintendent has
failed to comply until the superintendent complies with and agrees to
continue complying with requirements of this section.

E. The provisions of this section may be modified or sus-
pended by the state board for any school district or school operating
under the Variable School Calendar Act. The state superintendent
shall require ADM reports consistent with the calendar of operations
of such school district or school and furnish to the chief an equiv-
salent ADM for use in calculating school district revenue."

Section 4. Section 77-6-15 NMSA 1953 (being Laws 1967, Chapter
16, Section 69, as amended) is amended to read:

"77-6-15. PUBLIC SCHOOL FUND.—

A. The "public school fund" is created.

B. This fund shall be distributed to school districts in
the following parts:

(1) state equalization guarantee distribution;

(2) transportation distributions:

(a) regular;

(b) special; and

(c) vocational education; and

(3) supplemental distributions:

(a) out-of-state tuition;

(b) emergency;

(c) program enrichment; and
(d) special vocational education.

C. The distributions of the public school fund shall be made by the chief within limits established by law. The balance remaining in the public school fund at the end of each fiscal year shall revert to the general fund unless otherwise provided by law."

Section 5. Section 77-6-16 NMSA 1953 (being Laws 1967, Chapter 16, Section 70) is amended to read:

"77-6-16. ALLOCATION LIMITATION.--The chief shall determine the allocations to each school district from each of the distributions of the public school fund, subject to the limits established by law."

Section 6. Section 77-6-17 NMSA 1953 (being Laws 1967, Chapter 16, Section 71) is amended to read:

"77-6-17. PAYMENT TO SCHOOL DISTRICTS.--The chief shall make payments of each distribution of the public school fund by warrant of the department of finance and administration drawn against the public school fund upon vouchers issued by the chief. When payments are made to county treasurers for school districts within the county, the county treasurer shall hold and allocate those funds solely for the use and benefit of the specific school district and purpose for which the allocation was made."

Section 7. Section 77-6-18 NMSA 1953 (being Laws 1969, Chapter 180, Section 13) is repealed and a new Section 77-6-18 NMSA 1953 is enacted to read:

"77-6-18. PROGRAM COST DETERMINATION--REQUIRED INFORMATION.--

A. The program cost for each school district shall be de-
terminated by the chief in accordance with the provisions of the Public
School Finance Act.

B. The chief is authorized to require from each school
district the information necessary to make an accurate determination
of the district's program cost."

Section 8. Section 77-6-18.1 NMSA 1953 (being Laws 1969, Chap-
ter 180, Section 14, as amended) is repealed and a new Section
77-6-18.1 NMSA 1953 is enacted to read:

"77-6-18.1. PROGRAM COST CALCULATION.--The total program units
for the purpose of computing the program cost shall be calculated by
multiplying the sum of the program units itemized as (1) through (5)
in this section by the instruction staff training and experience in-
dex and then adding the program units itemized as (6) and (7) in this
section. The itemized program units are as follows:

(1) early childhood education;
(2) basic;
(3) special education, adjusted by subtracting the
units derived from Class D special education ADM in private, nonsec-
tarian, nonprofit training centers;
(4) vocational education;
(5) bilingual-multicultural education;
(6) sparsity; and
(7) special education units derived from Class D
special education ADM in private, nonsectarian, nonprofit training
centers."
Section 9. Section 77-6-18.2 NMSA 1953 (being Laws 1969, Chapter 180, Section 15) is repealed and a new Section 77-6-18.2 NMSA 1953 is enacted to read:

"77-6-18.2. EARLY CHILDHOOD EDUCATION PROGRAM UNITS.--The number of early childhood education program units is determined by multiplying the early childhood education ADM by the cost differential factor 1.1."

Section 10. Section 77-6-18.3 NMSA 1953 (being Laws 1969, Chapter 180, Section 16) is repealed and a new Section 77-6-18.3 NMSA 1953 is enacted to read:

"77-6-18.3. BASIC PROGRAM UNITS.--The number of basic program units is determined by multiplying the basic program ADM in each grade by the corresponding cost differential factor as follows:

<table>
<thead>
<tr>
<th>Grades</th>
<th>Cost differential factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 through 3</td>
<td>1.1</td>
</tr>
<tr>
<td>4 through 6</td>
<td>1.0</td>
</tr>
<tr>
<td>7 through 9</td>
<td>1.2</td>
</tr>
<tr>
<td>10 through 12</td>
<td>1.4</td>
</tr>
</tbody>
</table>

Section 11. Section 77-6-18.4 NMSA 1953 (being Laws 1969, Chapter 180, Section 17, as amended) is repealed and a new Section 77-6-18.4 NMSA 1953 is enacted to read:

"77-6-18.4. SPECIAL EDUCATION PROGRAM UNITS.--
A. For the purpose of the Public School Finance Act, special education programs for exceptional children are those approved by the department of education and classified as follows:

79
(1) Class A programs, in which a specially trained teacher travels from class to class or school to school assisting teachers and students on a part-time basis and in which the ratio of students to teachers is prescribed by the department of education;

(2) Class B programs, in which a specially trained teacher is assigned to a classroom, called a "resource room", and works with students on a regular part-time basis and in which the ratio of students to teachers is regulated by special education standards approved by the state board of education;

(3) Class C programs for moderately handicapped students who are either homebound or whose needs require a specially trained teacher working in a special classroom; the ratio of students to teachers in Class C programs is regulated by special education standards approved by the state board of education; and

(4) Class D programs for severely handicapped students, in which a specially trained teacher is assigned full-time to a special classroom and in which the ratio of students to teachers is regulated by special education standards approved by the state board of education; students in Class D programs may be enrolled in private, nonsectarian, nonprofit educational training centers in accordance with the provisions of Section 77-11-3.3 NMSA 1953.

B. All students assigned to the programs for exceptional children classified in Subsection A of this section must have been so assigned as a result of diagnosis and evaluation performed in accordance with the standards of the department of education before the
students can be counted in the determination of special education program units as provided in Subsection C of this section.

C. The number of special education program units is the sum of the following:

(1) the number of full-time specially trained teachers assigned to Class A programs multiplied by the cost differential factor 20;

(2) the number of resource rooms devoted to Class B programs multiplied by the cost differential factor 20;

(3) the special education ADM in Class C programs multiplied by the cost differential factor 1.9; and

(4) the special education ADM in Class D programs multiplied by the cost differential factor 3.8."

Section 12. Section 77-6-18.5 NMSA 1953 (being Laws 1969, Chapter 180, Section 18, as amended) is repealed and a new Section 77-6-18.5 NMSA 1953 is enacted to read:

"77-6-18.5. VOCATIONAL EDUCATION PROGRAM UNITS.—The number of vocational education program units is determined by multiplying the full-time equivalent ADM in approved vocational education programs by the cost differential factor 0.8."

Section 13. A new Section 77-6-18.6 NMSA 1953 is enacted to read:

"77-6-18.6. BILINGUAL-MULTICULTURAL EDUCATION PROGRAM UNITS.—The number of bilingual-multicultural education program units is determined by multiplying the full-time equivalent ADM of programs ap-
proved under the Bilingual Multi-Cultural Education Act by the cost differential 0.5."

Section 14. A new Section 77-6-18.7 NMSA 1953 is enacted to read:

"77-6-18.7. SPARSITY PROGRAM UNITS.--An approved public school with ADM of less than 200 and a district with ADM less than 4000 including special education ADM but excluding early childhood education ADM, are eligible for additional program units. The number of additional program units to which a school district is entitled is the sum of the Elementary-Junior High units, the Senior High units, and the District units computed in the following manner:

Elementary-Junior High Units
\[
\frac{(200 - \text{ADM})}{200} \times 1.0 \times \text{ADM} = \text{Units}
\]

Where ADM is equal to the membership of an approved elementary or junior high school including a special education membership but excluding early childhood education membership.

Senior High Units
\[
\frac{(200 - \text{ADM})}{200} \times 2.0 \times \text{ADM} = \text{Units}
\]

Where ADM is equal to the membership of an approved senior high school including special education membership but excluding early childhood education membership.

District Units
\[
\frac{(4000 - \text{ADM})}{4000} \times \text{ADM} \times 0.15 = \text{Units}
\]

Where ADM is equal to the membership of a school district including special education membership but excluding early childhood education membership.
Section 15. A new Section 77-6-18.8 NMSA 1953 is enacted to read:

"77-6-18.8. INSTRUCTIONAL STAFF TRAINING AND EXPERIENCE INDEX--DEFINITIONS--FACTORS--CALCULATION.--

A. For the purpose of calculating the instructional staff training and experience index the following definitions and limitations shall apply:

(1) "instructional staff" means the personnel assigned to the instructional program of the school district, excluding principals, substitute teachers, instructional aides, secretaries and clerks;

(2) the number of instructional staff to be counted in calculating the instructional staff training and experience index is the actual number of instructional staff on the October payroll;

(3) the number of years of experience to be used in calculating the instructional staff training and experience index is that number of years of experience allowed for salary increment purposes on the salary schedule of the school district; and

(4) the academic degree and additional credit hours to be used in calculating the instructional staff training and experience index is the degree and additional credit hours allowed for salary increment purposes on the salary schedule of the school district.

B. The factors for each classification of academic train-
ing by years of experience are provided in the following table:

<table>
<thead>
<tr>
<th>Academic classification</th>
<th>0 - 2</th>
<th>3 - 5</th>
<th>6 - 8</th>
<th>9 - 15</th>
<th>Over 15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelor's degree or less</td>
<td>.75</td>
<td>.90</td>
<td>1.00</td>
<td>1.05</td>
<td>1.05</td>
</tr>
<tr>
<td>Bachelor's degree plus 15 credit hours</td>
<td>.80</td>
<td>.95</td>
<td>1.00</td>
<td>1.10</td>
<td>1.15</td>
</tr>
<tr>
<td>Master's degree or bachelor's degree plus 45 credit hours</td>
<td>.85</td>
<td>1.00</td>
<td>1.05</td>
<td>1.15</td>
<td>1.20</td>
</tr>
<tr>
<td>Master's degree plus 30 credit hours</td>
<td>.90</td>
<td>1.05</td>
<td>1.15</td>
<td>1.30</td>
<td>1.35</td>
</tr>
<tr>
<td>Post-master's degree or master's degree plus 45 credit hours</td>
<td>1.00</td>
<td>1.15</td>
<td>1.30</td>
<td>1.40</td>
<td>1.50</td>
</tr>
</tbody>
</table>

C. The instructional staff training and experience index for each school district shall be calculated as follows:

(1) multiply the number of instructional staff in each academic classification by the numerical factor in the appropriate "years of experience" column provided in the table in Subsection B of this section;

(2) add the products calculated in Paragraph (1) of this subsection; and

(3) divide the total obtained in Paragraph (2) of this subsection by the total number of instructional staff.

D. In the event that the result of the application of the
training and experience index is .95 or less, the district's factor shall be no less than .95."

Section 16. Section 77-6-19 NMSA 1953 (being Laws 1969, Chapter 180, Section 19, as amended) is repealed and a new Section 77-6-19 NMSA 1953 is enacted to read:

"77-6-19. STATE EQUALIZATION GUARANTEE DISTRIBUTION--DEFINITIONS--DETERMINATION OF AMOUNT.--

A. The state equalization guarantee distribution is that amount of money distributed to each school district to insure that the school district's operating revenue, including its local and federal revenues as defined in this section, is at least equal to the school district's program cost.

B. "Local revenue" as used in this section means ninety-five percent of receipts to the school district estimated at the time of the school budget hearing to be derived from the following:

(1) that amount which would be produced by a school district property tax at the rate of eight dollars ninety-two and one-half cents ($8.925) per one thousand dollars ($1,000) of net taxable value of property allocated to the school district; and

(2) the school district's share of motor vehicle fees distributed in accordance with Section 77-6-35 NMSA 1953.

C. "Federal revenue" as used in this section means ninety-five percent of receipts to the school district estimated at the time of the school budget hearing to be derived from the following:

(1) the school district's share of forest reserve
funds distributed in accordance with Section 77-6-35 NMWA 1953;

(2) grants from the federal government as assistance to those areas affected by federal activity authorized in accordance with Sections 236 through 240 of Title 20 of the United States Code (commonly known as "PL 874 funds"); and

(3) grants from the federal government to public secondary schools authorized by the United States Vocational Education Act of 1961, as amended (20 U.S.C. 1241 - 1391).

D. To determine the amount of the state equalization guarantee distribution the chief shall:

(1) calculate the number of program units to which each school district is entitled using membership and other required reports for the first forty days of the school year and for the first eighty days of the school year;

(2) using the higher number of the result of the calculation in Paragraph (1) of this subsection, establish and total program cost of the school district;

(3) calculate the local and federal revenues as defined in this section; and

(4) deduct the sum of the calculations made in Paragraph (3) of this subsection from the program cost established in Paragraph (2) of this subsection.

E. The amount of the state equalization guarantee distribution to which a school district is entitled is the balance remaining after the deduction made in Paragraph (4) of Subsection D of this
section.

P. Notwithstanding the methods of calculating the state

equalization guarantee distribution in Sections 16 and 22 of this

act, if a school district receives funds, under Section 2391 of title

42 U.S.C.A., and if the federal government takes into consideration

grants authorized by Sections 236 through 240 of the United States

Code and all other revenues available to the school district in de-

termining the level of federal support for the school district, the

amount of the state equalization guarantee distribution for the sixty-

third fiscal year shall be the same as the amount of state revenues ex-

cept for transportation and textbook revenues provided in the sixty-

second fiscal year multiplied by the save harmless percentage of Sub-

section F of Section 22 of this act, and further multiplied by the

ratio of the full-time equivalent ADM for the sixty-third fiscal year

to the full-time equivalent ADM for the sixty-second fiscal year. For

the sixty-fourth and succeeding fiscal years, the state equalization

guarantee distribution for school districts receiving funds under this

subsection shall be computed as follows:

distribution is being computed

fiscal year program cost for the year

distribution is being computed

for which the state equalization guarantee

prior fiscal year

distribution is being computed

x state equalization guarantee distribution

fiscal year state equalization guarantee distribution for the year for

which the state equalization guarantee distribution is being computed."

Section 17. Section 77-6-29 NMSA 1953 (being Laws 1971, Chapter

263, Section 12) is repealed and a new Section 77-6-29 NMSA 1953 is

enacted to read:
77-6-29. SUPPLEMENTAL DISTRIBUTIONS.--

A. The chief shall make supplemental distributions only for the following purposes:

(1) to pay the out-of-state tuition of students subject to the Compulsory School Attendance Law who are attending school out-of-state because school facilities are not reasonably available in the school district of their residence;

(2) to make emergency distributions to school districts 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 operational budget;

(3) with the approval of the state superintendent, to make program enrichment distributions in the amount of actual program expense to school districts for the purpose of providing specific programs to meet particular educational requirements that cannot otherwise be financed; and

(4) with the approval of the state superintendent, a special vocational education distribution to area vocational schools or state supported schools with state-board approved vocational programs to reimburse those schools for the cost of vocational education programs for those students subject to the Compulsory School Attendance Law who are enrolled in such programs.

B. The state superintendent and chief shall account for all supplemental distributions and shall make full reports to the governor,
legislative school study committee and legislative finance committee
of payments made as authorized in Subsection A of this section.

C. The chief may divert any unused or unneeded balances in
any of the distributions made under the chief's supplementary distri-
bution authority to make any other distribution made pursuant to the
same authority."

Section 18. Section 77-6-30 NMSA 1953 (being Laws 1967, Chapter
16, Section 84, as amended) is amended to read:

"77-6-30. STATE-SUPPORT RESERVE FUND.--

A. The "state-support reserve fund" is created.

B. The state-support reserve fund shall be used only to
augment the appropriations for the state equalization guarantee dis-
tribution in order to insure, to the extent of the amount undistrib-
uted in the fund, that the maximum figures for such distribution
established by law shall not be reduced.

C. The undistributed money in the state-support reserve
fund shall be invested by the state treasurer in interest-bearing se-
curities of the United States government or in certificates of depos-
it in qualified banks, and in savings and loan associations whose de-
posits are insured with an agency of the United States. The state
treasurer may deposit money from the state-support reserve fund or any
other fund in one or more accounts with any such savings and loan as-
association or associations, but the state treasurer, in any official
capacity, shall not deposit money from said fund or any other fund in
any one such association the aggregate of which would exceed the
amount of insurance for a single depositor in an individual capacity. Income from these investments shall be periodically credited to the general fund.

D. At least forty-five days before the money is needed, the chief shall notify the state treasurer in writing of the amount that will be needed for distribution.

E. It is the intent of the legislature that the fund be reimbursed in the amount of the yearly distribution by appropriation in the year following the distribution so that the fund at the beginning of each fiscal year shall have a credit balance of at least five million dollars ($5,000,000).

F. Distribution from this fund shall be made in the same manner and on the same basis as the state equalization guarantee distribution."

Section 19. Section 77-6-36 NMSA 1953 (being Laws 1967, Chapter 16, Section 90) is amended to read:

"77-6-36. FEDERAL MINERAL LEASING FUNDS.—Except for an annual appropriation to the free textbook fund and to the bureau of mines and mineral resources of the New Mexico institute of mining and technology, all other money received by the state pursuant to the provisions of the Act of Congress approved February 25, 1920 entitled "An Act to Promote the Mining of Coal, Phosphate, Oil, Oil Shale, Gas and Sodium on the Public Domain" as amended and compiled in 30 United States Code, Sections 181 through 214, is appropriated for the use and benefit of the public schools of this state for instructional pur-
poses. The state treasurer shall credit all money received under
this federal act, less the appropriations to the free textbook fund
and to the bureau of mines and mineral resources, to the public
school fund."

Section 20. Section 77-11-2 KOMA 1953 (being Laws 1973,
Chapter 357, Section 1) is amended to read:

"77-11-2. EARLY CHILDHOOD EDUCATION PROGRAMS REQUIRED.--

A. In accordance with state board regulations, every local
school board shall establish and conduct early childhood education
programs, and may provide transportation for students attending these
programs.

B. The state board shall adopt and promulgate regulations
providing for:

(1) minimum standards for the conduct of early child-
hood education programs;

(2) a progressive phasing-in of these programs such
that, not later than September 1, 1977, a program shall be available
to every child who has attained his fifth birthday prior to September
1 of the school year and whose parents or legal guardian request his
enrollment; provisions for phasing-in of programs prior to January 1,
1977, may specify standards for eligibility for enrollment; and

(3) qualifications of any person teaching in these
programs.

C. The cost of operating early childhood education prog-
grams shall be included in the budget prepared for the school district.
D. As used in this section, "early childhood education programs" means pre-elementary programs established by a local school board for the development or enrichment of persons within the school district who have not attained the age at which they are subject to the provisions of the Compulsory School Attendance Law."

Section 21. Section 77-11-3.3 NMSA 1953 (being Laws 1972, Chapter 95, Section 4) is amended to read:

"77-11-3.3. SPECIAL EDUCATION--PRIVATE.--

A. The responsibility of school districts, institutions and the state, to provide a free public education for exceptional children is not diminished by the availability of private schools and services. Whenever such schools or services are utilized, it continues to be a state responsibility to assure that all exceptional children receive the education to which the laws of the state entitle them.

B. A local school board may make an agreement with nonsectarian, nonprofit educational training centers for educating exceptional children and for providing for payment for such education. Payment for education and services under such agreements shall be made by the local board of education from funds available.

C. All agreements between local school boards and nonsectarian, nonprofit educational training centers must be approved by the state superintendent. All agreements must provide for diagnosis and an educational program for each child which meets state standards for such programs. The agreements must also acknowledge the author-
ity and responsibility of the local board and the department of edu-
cucation to conduct on-site evaluations of programs and pupil progress
to insure meeting state standards.

D. Exceptional children attending a nonsectarian, non-
profit training center shall be counted in the special education mem-
bership of the school district as enrolled in the Class D special
education program."

Section 22. TEMPORARY PROVISION--SAVE HARMLESS DISTRIBUTION.--

A. The save harmless distribution is the sum appropriated
by the legislature in amounts necessary to save harmless any school
district from a decrease in available funds computed on a per average
daily membership basis between the amount available to a district
during the sixty-second fiscal year and the sixty-third fiscal year.

B. For the save harmless distribution the chief shall com-
pute the sum of revenues received during the sixty-second fiscal year
from the production of the district school tax based upon 2.225
mills, the county school tax of 6.7 mills allocated on the ADM per-
centage basis, the motor vehicle license fees allocated on the ADM
percentage basis, P.L. 874, forest reserve and federal vocational al-
locations in addition to state distributions for basic program sup-
port, and all supplemental distributions excluding out-of-state,
emergency and program enrichment.

C. The chief shall take credit for ninety-five percent of
the local and federal sources and one hundred percent of the state
distributions designated. The result of the computations will be
divided by each school district's forty-day certified ADM exclusive of special and early childhood education for the sixty-second fiscal year to determine the per ADM revenue available from these sources.

D. The per ADM revenue available will be compared to the sixty-third fiscal year's applicable estimated revenue per ADM using the estimated ADM exclusive of special and early childhood education computed in accordance with the Public School Finance Act to determine the difference between the sixty-second and sixty-third fiscal year's revenue available per ADM.

E. If the sixty-third fiscal year's revenue per ADM is less than the sixty-second, an amount equal to the difference on a per ADM basis will be multiplied by the estimated ADM for the sixty-third fiscal year to determine the tentative save harmless allocation for budget purposes.

F. After receipt of the actual ADM for the sixty-third fiscal year, the chief shall re-calculate the save harmless and adjust the save harmless distribution to insure that the correct revenue per ADM available is no less than one hundred percent of the appropriate prior year's revenue available per ADM.

G. The save harmless assistance shall continue to be reduced each year in the same manner so that no save harmless will be allowed under this section for the sixty-ninth fiscal year.

Section 23. REPEAL.--Sections 77-6-19.1 through 77-6-19.4 and 77-23-7 NMSA 1953 (being Laws 1969, Chapter 180, Section 20, Laws 1972, Chapter 87, Section 3, Laws 1971, Chapter 263, Section 11, Law
1972, Chapter 87, Section 5, and Laws 1973, Chapter 265, Section 7, as amended) are repealed.

Section 24. SEVERABILITY.—If any part or application of this act is held invalid, the remainder, or its application to other situations or persons, shall not be affected.

Section 25. EFFECTIVE DATE.—The effective date of the provisions of this act is July 1, 1974.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1914

CHAPTER 10

HOUSE BILL NO. 78, AS AMENDED

Introduced by
REPRESENTATIVES EDWARD J. LOPEZ, JAMES H. KOCH,
DON L. KING, ELOY P. QUINTANA, RICHARD A. CARBAJAL
AND RAYMOND G. SANCHEZ

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Chapter 10
AN ACT

MAKING AN APPROPRIATION TO PROVIDE FUNDS TO INCREASE SALARIES OF CERTAIN LOWER-PAID STATE EMPLOYEES.

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

Section 1. APPROPRIATION.--There is appropriated to the department of finance and administration from the state general fund the sum of three hundred ninety-two thousand dollars ($392,000) for use during the sixty-third fiscal year. The appropriation shall be used only for the purpose of funding the portion of salary increases and increased personnel benefit costs which may be legally paid from the state general fund to increase the salaries of positions in the lower salary levels of the classified service. Within the limits of this appropriation, the department of finance and administration shall transfer to general fund agency accounts, sufficient funds to implement an increase of the minimum salary to four hundred dollars ($400) a month. Any unexpended portion of the appropriation remaining at the end of the sixty-third fiscal year shall revert to the general fund.

Section 2. MINIMUM SALARY RATE.--Every state employee and every person regularly employed at a state educational institution named in Article 12, Section 11 of the New Mexico constitution, except student employees as defined by the board of educational finance, shall receive a salary at a rate equal to at least four hundred dollars ($400) per month.

House Bill 78
Approved February 19, 1974
Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 1974.
Chapter 16
AN ACT
RELATING TO EDUCATION; AMENDING SECTIONS 77-2-2 AND 77-18-3 NMSA 1933 (BEING LAWS 1967, CHAPTER 16, SECTION 5 AND LAWS 1967, CHAPTER 16, SECTION 272, AS AMENDED).

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

Section 1. Section 77-2-2 NMSA 1953 (being Laws 1967, Chapter 16, Section 5, as amended) is amended to read:

"77-2-2. STATE BOARD--DUTIES.--Without limiting those powers granted to the state board pursuant to Section 77-2-1 NMSA 1953, the state board shall perform the following duties:

A. properly and uniformly enforce the provisions of the Public School Code;
B. determine policy for the operation of all public schools and vocational education programs in the state;
C. appoint a superintendent of public instruction;
D. purchase and loan instructional material to students pursuant to the Instructional Material Law;
E. designate courses of instruction to be taught in all schools in the state to which instructional material is distributed pursuant to the Instructional Material Law;
F. adopt standards for the operation of business colleges, commercial departments of public schools, and for private schools and issue certificates of recognition to those colleges or schools meeting these standards;"

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Approved February 20, 1974
G. prescribe courses of instruction in industrial and vocational education, including courses in domestic science, manual training and agriculture; 

H. determine the qualifications for and issue a certificate to any person teaching, assisting teachers, supervising an instructional program, counseling, providing special instructional services or administering in public schools according to law and according to a system of classification adopted and published by the state board; 

I. suspend or revoke a certificate held by a certified school instructor or administrator according to law for incompetency, immorality or for any other good and just cause; 

J. make full and complete reports in consolidation of school districts to the legislature; 

K. prescribe courses of instruction, requirements for graduation and standards for all schools subject to its jurisdiction; 

L. adopt regulations for the administration of all public schools and bylaws for its own administration; 

M. require periodic reports on forms prescribed by it from all schools and their officials coming within the provisions of the Public School Code; 

N. authorize adult educational programs to be conducted in schools under its jurisdiction and promulgate and publish regulations governing all such adult educational programs; 

O. require all accrediting agencies for schools in the state to act with its approval;
P. accept and receive all grants of money from the federal government or any other agency for public school purposes and disburse the money in the manner and for the purpose specified in the grant;

Q. require prior approval for any educational program in a public school which is to be conducted, sponsored, carried on or caused to be carried on by a private organization or agency;

R. approve all rules or regulations promulgated by any association or organization attempting to regulate any public school activity and invalidate any rule or regulation in conflict with any regulation promulgated by the state board. The state board shall have no power or control over the rules or regulations or the bylaws governing the administration of the internal organization of the association or organization;

S. review decisions made by the governing board or officials of any organization or association regulating any public school activity and any decision of the state board shall be final in respect thereto;

T. accept or reject any charitable gift, grant, devise or bequest. The particular gift, grant, devise or bequest accepted shall be considered an asset of the state;

U. establish and maintain regional centers, at its discretion, for conducting cooperative services between public schools and school districts within and among such regions and to facilitate regulation and evaluation of school programs;
V. assess and evaluate for accreditation purposes at least one-third of all public schools each year through visits by department personnel to investigate the adequacy of pupil gain in standard required subject matter, adequacy of pupil activities, functional feasibility of public school and school district organization, adequacy of staff preparation and other matters bearing upon the education of qualified students;

W. provide for management and other necessary personnel to operate any public school or school district which has failed to meet requirements of law, state board standards or state board regulations; provided, that such operation of the public school or district shall not include any consolidation or reorganization without the approval of the local board of such district. Until such time as requirements of law, standards or regulations have been met and compliance is assured, the powers and duties of the local school board shall be suspended; and

X. require a report from each school district by August 1 of each year which indicates by fact what effect the current distribution formula and other financial arrangements have had on educational program operations and student progress during the prior year, and what changes, if any, are needed. The state board shall evaluate each report, consolidate findings and present a state report with recommendations to the ensuing legislative session."

Section 2. Section 77-18-3 NMSA 1953 (being Laws 1967, Chapter
Section 272) is amended to read:

"77-18-3. SCHOOL CONSTRUCTION--APPROVAL OF STATE BOARD.--

A. Each local school board shall secure approval of the state board for plans and specifications for the expending of twenty-five thousand dollars ($25,000) or more on erecting, remodeling, or making additions to any public school building or structure. The state board shall only approve factors relating to educational aspects of the construction.

B. Any contract to expend money pursuant to plans and specifications not approved as provided by this section is void and constitutes no charge in law or equity against the local school board or the school district."
The Legislature of the State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 20

HOUSE BILL NO. 59, AS AMENDED

Introduced by

REPRESENTATIVE ABEL E. McBRIDE, C. GENE SANDERSON,
ROBERT M. MORAN, MURRAY RYAN, DANIEL LYON,
JERRY W. SANDEL, LENTON KALRY, GEORGE PENNINGTON,
H. B. BARNARD AND DONALD L. THOMPSON
AN ACT
RELATING TO EDUCATIONAL FINANCE; AMENDING SECTION 73-33-14.2 NMSA 1953 (BEING LAWS 1968, CHAPTER 70, SECTION 2).

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

Section 1. Section 73-33-14.2 NMSA 1953 (being Laws 1968, Chapter 70, Section 2) is amended to read:

"73-33-14.2. ENROLLMENT DEFINED--PAYMENTS.---

A. As used in this act, "full-time equivalent student" means:

(1) either one full-time student (a student enrolled for one or several terms which in the aggregate consist of thirty-two weeks, and who is taking twenty-three or more contact hours per week for the term or terms for which he is enrolled); or

(2) a computed student symbolized by each whole unit of a figure arrived at by dividing the aggregate number of contact hours taken by all students taking less than twenty-three contact hours a week during a term or terms which total thirty-two weeks, by the number twenty-three.

B. For the purpose of computing the number of full-time equivalent students for the technical and vocational payment, the following formulae shall be used:

(1) for full-time equivalent students based on full-time students the formula is:

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Approved February 20, 1974
Full-time equivalent student = Number of full-time students X Number of weeks of term for which enrolled

For full-time equivalent students based on part-time students, the formula is:

Full-time equivalent students = Total weekly contact hours X Number of weeks of term for which enrolled

C. For the purpose of calculating the junior college payment, full-time equivalent student for those students enrolled in non-college credit technical and vocational courses shall be defined as and shall be computed on the same bases set out in Subsections A and B of this section for full-time equivalent students under the technical and vocational payment. For those students in junior colleges taking college level courses, full-time equivalent students shall be defined and computed by the board of educational finance, in the same manner in which it defines and computes full-time equivalent students for all other college-level programs within its jurisdiction.

D. No student shall be included in any calculations made under the provisions of this section if he is enrolled in a course, the cost of which is totally reimbursed from federal, state or private sources, or if he is counted in the average daily membership of a public school district for the same time period.

E. An amount not less than three hundred twenty-five dollars ($325) for each full-time equivalent student shall be distributed by the board of educational finance to each junior college. For the first year of operation, the board of regents shall estimate the full-
time equivalent student population; thereafter, the previous year's
full-time equivalent student population shall be used.

F. The board of educational finance shall require from the
junior college such reports as it may deem necessary for the purpose
of determining the number of full-time equivalent students at the
junior college eligible to receive support under this section.

G. The board of educational finance may recommend tuition
and fee rates, and in fixing tuition and fee rates the junior college
board shall separately establish:

(1) rates for New Mexico students residing in the
junior college district;

(2) rates for New Mexico students not residing in the
junior college district; and

(3) rates for out-of-state students.
SENATE BILL 14

Introduced by

SENIOR T. M. SMALLEY
AN ACT

RELATING TO PUBLIC OFFICERS AND EMPLOYEES; INCREASING PER DIEM RATE
FOR OUT-OF-STATE TRAVEL; INCREASING MILEAGE RATE; ELIMINATING REQUIRE-
MENT THAT GOVERNMENT CONVEYANCE BE USED WHEN AVAILABLE.

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

Section 1. Section 5-10-3 NMSA 1953 (being Laws 1963, Chapter
31, Section 3, as amended) is amended to read:

"5-10-3. PER DIEM AND MILEAGE RATES--IN LIEU PAYMENT.--

A. Every non-salaried public officer shall receive twenty
dollars ($20.00) as per diem expense for each day spent in the dis-
charge of official duties within the state, notwithstanding any
specific law to the contrary, and shall receive no other compensation,
perquisite or allowance.

B. Every salaried public officer or employee who is travel-
ing within the state but away from his home and away from his desig-
nated post of duty on official business shall receive not to exceed
twenty dollars ($20.00) a day for each day spent in the discharge of
his official duties.

C. Every public officer or employee shall receive not to
exceed thirty-six dollars ($36.00) a day for each day of travel outside
the state on official business.

D. Every public officer or employee shall receive twelve
cents ($0.12) a mile for each mile traveled in a privately-owned
vehicle, or fifteen cents ($0.15) a mile for each mile traveled in a
privately-owned airplane if the travel is necessary to the discharge of his official duties, and if the private conveyance is not a common carrier. Provided, however, that only one person shall receive mileage for each mile traveled in a single privately-owned vehicle or airplane except in the case of common carriers, in which case the person shall receive the cost of the ticket in lieu of the mileage allowance.

E. The per diem and mileage, or per diem and cost of tickets for common carriers, paid to salaried public officers or employees is in lieu of actual expenses for transportation, lodging and subsistence."
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS

CHAPTER 33

SENATE EDUCATION COMMITTEE SUBSTITUTE

FOR SENATE BILL 16, with emergency clause

Introduced by

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AN ACT

PROVIDING FOR THE CONTINUATION OF THE UNIVERSITY STUDY COMMITTEE;
MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. COMMITTEE CONTINUED.--The university study committee, created by Laws 1970, Chapter 88, is continued and will serve with the same function and powers until the end of the sixty-third fiscal year.

Section 2. APPROPRIATION.--For the purpose of paying salaries and expenses of technical, legal and clerical assistants and per diem and mileage of the committee, appointed by the legislative council pursuant to Laws 1970, Chapter 88, there is appropriated the sum of fifty thousand dollars ($50,000), all or any part of which is available during the sixty-third fiscal year. Any funds not used shall revert to the general fund at the end of the sixty-third fiscal year. Payments from this appropriation shall be made upon vouchers signed by the director of the legislative council service or his authorized representative.

Section 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

SECS/SB 16
Approved February 20, 1974
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 36

SENATE BILL 36

Introduced by
SENATOR ODIS L. ECHOLS, JR.
SENATOR JERRY APODACA
SENATOR TIBO J. CHAVEZ
SENATOR JOHN B. IRICK
SENATOR CONSUELO (CONNIE) J. KITZES
SENATOR FRANK O. PAPEN
SENATOR BOB E. WOOD

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MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FUNDING THE DEVELOPMENT TRAINING ACT.

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

Section 1. APPROPRIATION.--Three hundred thousand dollars ($300,000) is appropriated from the general fund to the department of education for expenditure in the sixty-third fiscal year for the purpose of carrying out the provisions of the Development Training Act. Any funds not encumbered or expended at the close of the sixty-third fiscal year shall carry over to the following year.

Senate Bill 38
Approved February 20, 1974
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 38

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR

SENATE BILL 42, as amended, with emergency clause

Introduced by
Chapter 38
AN ACT

RELATING TO SCHOOL BUSES; PROVIDING FOR THE USE OF SCHOOL BUSES FOR GENERAL PUBLIC TRANSPORTATION; AMENDING SECTION 64-27-25 NMSA 1953 (BEING LAWS 1933, CHAPTER 154, SECTION 25, AS AMENDED); DECLARING AN EMERGENCY.

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

Section 1. SHORT TITLE.--Sections 1 through 4 of this act may be cited as the "Emergency Transportation Act".

Section 2. CORPORATION COMMISSION PERMITS.--

A. Subject to the Emergency Transportation Act, the state corporation commission may approve a permit application of a school district operating its own school buses or of an independent school bus operator who operates school buses under contract with a school district, for the operation of such buses for general public transportation if the commission determines that:

(1) the school district operating its own school buses or the independent school bus operator has complied with laws, regulations and other requirements governing transportation of the general public;

(2) existing public or private transportation systems will not be adversely affected by the use of school buses for general public transportation; and

(3) a public transportation emergency exists within the proposed area of operation necessitating the use of school buses for

Approved February 20, 1974
general public transportation.

B. Notice of approval or denial of the permit application shall be submitted to the state transportation director of the state transportation division of the department of education and to the applicant within ten days of final determination by the commission.

Section 3. STATE TRANSPORTATION DIRECTOR--APPROVAL--

A. Upon the receipt of approval of the permit application from the state corporation commission, the state transportation director may grant a permit to operate school buses for general public transportation to a school district that operates its own school buses or to the independent school bus operator who operates school buses under contract with a school district, if he determines:

(1) that school bus service to students will not be adversely affected by issuing the permit;

(2) that the operation of such buses for general public transportation service by the district or the independent operator will not provide unnecessary duplication of a general public transportation service by school buses of another school district or independent school bus operator contracting with another district; and

(3) that there has been compliance with the rules and regulations of the state transportation director issued pursuant to the Emergency Transportation Act.

B. The state transportation director, subject to the approval of the state superintendent of public instruction, shall by regulation provide for application fees, forms and permit procedures pursuant to
the Emergency Transportation Act.

C. A permit issued under this section shall be valid for one year and shall be annually renewed upon payment of a reasonable application fee to the state transportation division and certification by the state corporation commission of the permittee's compliance with all applicable laws. Notice of renewal of the permit shall be delivered by the state transportation division to the state corporation commission and the local school board concerned.

Section 4. TERMINATION OF PERMIT.--A permit issued pursuant to the Emergency Transportation Act shall be terminated by the state transportation director upon thirty days' written notice to the holder of the permit, if the state transportation director receives written notice from:

A. the state corporation commission that it has determined that a public transportation emergency in the area in which the permittee provides general public transportation no longer exists, or that public or private transportation systems are being adversely affected in such area; or

B. the local school board that such board has determined that school bus service to students is being adversely affected by providing general public transportation under the permit.

Section 5. Section 64-27-25 NMSA 1953 (being Laws 1933, Chapter 154, Section 25, as amended) is amended to read:

"64-27-25. EXEMPTIONS.--Neither this act nor any provisions hereof shall apply or be construed to apply to any of the following:

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A. motor vehicles used exclusively to convey children to and from schools, or the use of such vehicles under a permit pursuant to the Emergency Transportation Act, provided that such vehicles shall, notwithstanding the provisions of this section, be subject to all of the safety provisions of this act or that may be prescribed by the commission under the terms of this act;

B. to United States mail carriers operating star routes, when not engaged in other business as common carrier, or contract carrier of property or passengers;

C. ambulances, hearses, funeral coaches, or any other motor vehicle, belonging to, or operated by, any funeral director or assistant funeral director licensed pursuant to the provisions of Laws 1947, Chapter 1, in connection with his business; or

D. any municipal bus system."

Section 6. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.
The Legislature
of the
State of New Mexico

Legislature, 2nd Session

LAWS 1914

CHAPTER 42

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR

SENATE BILL 72

with Emergency Clause

Introduced by
AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION
FOR ACTIONS NECESSARY TO SUPPORT OR DEFEND THE STATE EQUALIZED PUBLIC
SCHOOL FINANCE PROGRAM; DECLARING AN EMERGENCY.

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

Section 1. APPROPRIATION.--The sum of twenty-five thousand dol-

lars ($25,000) is appropriated to the department of finance and admin-

istration for the sixty-second, sixty-third and sixty-fourth fiscal

years for necessary actions in support of or in defense of the state

equalized public school finance program. Any balance remaining from

this appropriation at the end of the sixty-fourth fiscal year shall

revert to the general fund.

Section 2. REPORT.--The department of finance and administration

shall from time to time submit reports to the state department of

education and the legislative school study committee setting forth

actions taken in support of or in defense of the state equalized

public school finance program and all expenditures incurred therein.

Section 3. EMERGENCY.--It is necessary for the public peace,

health and safety that this act take effect immediately.

SECS/SB 72
Approved February 20, 1974
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 51

HOUSE BILL NO. 60

Introduced by

REPRESENTATIVES ABEL E. McBRIDE, C. GENE SAMBERSON,
ROBERT H. MORAN, MURRAY RYAN, LENTON MALRY,
H. B. BARNARD, DANIEL LYON, JERRY W. SANDEL,
GEORGE PENNINGTON AND DONALD L. THOMPSON.
AN ACT
RELATING TO TECHNICAL AND VOCATIONAL INSTITUTES.

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

Section 1. Section 73-34-7.1 NMSA 1953 (being Laws 1968, Chapter 59, Section 1) is amended to read:

"73-34-7.1. PURPOSE OF ACT.--Whereas the state recognizes the value of public school vocational education, and the state supports vocational and technical curricula of not more than two years' duration designed to fit individuals for employment by an appropriation not less than three hundred twenty-five dollars ($325) for each full-time equivalent student, provided such students are enrolled in a branch community college recognized by the state board of vocational education as an area vocational school; it is the purpose of this act to extend state support to public school vocational and technical education programs of not more than two years' duration designed to fit individuals for employment, provided such individuals are students enrolled in a technical and vocational institute organized pursuant to the Technical and Vocational Institute Act."

Section 2. Section 73-34-7.3 NMSA 1953 (being Laws 1968, Chapter 59, Section 3) is amended to read:

"73-34-7.3. APPROPRIATION--DISTRIBUTION.--

A. The chief of public school finance shall recommend an appropriation for each technical and vocational institute based upon its financial requirements in relation to its authorized program and

Approved February 21, 1974
its available funds from non-general fund sources; provided, such rec-
ommended appropriation shall be an amount not less than three hundred
twenty-five dollars ($325) for each full-time equivalent student.

B. The chief of public school finance shall require from
the technical and vocational institutes such reports as he may deem
necessary for the purpose of determining the number of full-time
equivalent students for which any technical and vocational institute
may be eligible to receive support under this act. The chief shall
make monthly distributions to eligible technical and vocational
institute districts which are based on his estimate of eligibility
until the closing of the last full quarter, trimester or semester
within the fiscal year. At this point in time, the chief shall
determine the full year's full-time equivalent student population
based upon the preceding twelve months of operation and shall prorate
the amount of entitlement then remaining unpaid for distribution
within the remaining months of the fiscal year."
HOUSE BILL NO. 23, AS AMENDED

Introduced by

REPRESENTATIVES FRANK BROWN AND THOMAS P. FOY
Chapter 67
AN ACT
RELATING TO WORKMEN'S COMPENSATION; PROVIDING FOR EXTRA-TERITORIAL
COVERAGE FOR WORKMEN'S COMPENSATION LAW; AMENDING SECTION 59-10-33.1
NMSA 1953 (BEING LAWS 1973, CHAPTER 227, SECTION 1).

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
Section 1. Section 59-10-33.1 NMSA 1953 (being Laws 1973, Chap-
ter 227, Section 1) is amended to read:
"59-10-33.1. EXTRA-TERITORIAL COVERAGE.—
A. If an employee, while working outside the territorial
limits of this state, suffers an injury on account of which he, or in
the event of his death, his dependents, would have been entitled to
the benefits provided by the Workmen's Compensation Act, had such in-
jury occurred within this state, such employee, or in the event of
his death resulting from such injury, his dependents, shall be en-
titled to the benefits provided by this act, provided that at the
time of such injury:
(1) his employment is principally localized in this
state;
(2) he is working under a contract of hire made in
this state in employment not principally localized in any state;
(3) he is working under a contract of hire made in
this state in employment principally localized in another state whose
workmen's compensation law is not applicable to his employer; or
(4) he is working under a contract of hire made in

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Approved February 26, 1974
B. The payment or award of benefits under the workmen's compensation law of another state, territory, province or foreign nation to an employee or his dependants otherwise entitled on account of such injury or death to the benefits of this act shall not be a bar to a claim for benefits under this act; provided that claim under this act is filed within one year after such injury or death. If compensation is paid or awarded under this act:

(1) the medical and related benefits furnished or paid for by the employer under such other workmen's compensation law on account of such injury or death shall be credited against the medical and related benefits to which the employee would have been entitled under this act had claim been made solely under this act;

(2) the total amount of all income benefits paid or awarded the employee under such other workmen's compensation law shall be credited against the total amount of income benefits which would have been due the employee under this act, had claim been made solely under this act; and

(3) the total amount of death benefits paid or awarded under such other workmen's compensation law shall be credited against the total amount of death benefits due under this act.

C. If an employee is entitled to the benefits of this act by reason of an injury sustained in this state in employment by an employer who is domiciled in another state and who has not secured the payment of compensation as required by this act, the employer or his
carrier may file with the labor commissioner a certificate, issued by
the commission or agency of such other state having jurisdiction over
workmen's compensation claims, certifying that such employer has se-
cured the payment of compensation under the workmen's compensation law
of such other state and that with respect to said injury such employee
is entitled to the benefits provided under such law. In such events:

(1) the filing of such certificate shall constitute an
appointment by such employer or his carrier of the labor commissioner
as his agent for acceptance of the service of process in any proceed-
ing brought by such employee or his dependents to enforce his or their
rights under this act on account of such injury;

(2) the labor commissioner shall send to such employer
or carrier, by registered or certified mail, the name shown on such
certificate, a true copy of any notice of claim or other process ser-
ved on the labor commissioner by the employee or his dependents in any
proceeding brought to enforce his or their rights under this act;

(3) if such:

(a) employer is a qualified self-insurer under
the workmen's compensation law of such other state, such employer
shall, upon submission of evidence satisfactory to the labor commis-
sioner of his ability to meet his liability to such employee under
this act, be deemed to be a qualified self-insurer under this act; or

(b) employer's liability under the workmen's com-
pen-sation law of such other state is insured, such employer's carrier,
as to such employee or his dependents only, shall be deemed to be an
insurer authorized to write insurance under and be subject to this act; provided, however, that unless its contract with said employer requires it to pay an amount equivalent to the compensation benefits provided by this act, its liability for income benefits or medical and related benefits shall not exceed the amounts of such benefits for which such insurer would have been liable under the workmen's compensation law of such other state;

(4) if the total amount for which such employer's insurance is liable under Paragraph (3) of this subsection is less than the total of the compensation benefits to which such employee is entitled under this act, the labor commissioner may, if he deems it necessary, require the employer to file security, satisfactory to the labor commissioner, to secure the payment of benefits due such employee or his dependents under this act; and

(5) upon compliance with the preceding requirements of Subsection C of this section, such employer, as to such employee only, shall be deemed to have secured the payment of compensation under this act.

D. As used in this section:

(1) "United States" includes only the states of the United States and the District of Columbia;

(2) "state" includes any state of the United States, the District of Columbia, or any province of Canada;

(3) "carrier" includes any insurance company licensed to write workmen's compensation insurance in any state of the United
States or any state or provincial fund which insures employers against their liabilities under a workmen's compensation law;

(4) a person's employment is principally localized in this or another state when:

(a) his employer has a place of business in this or such other state and he regularly works at or from such place of business; or

(b) if Subparagraph (a) of this paragraph is not applicable, he is domiciled and spends a substantial part of his working time in the service of his employer in this or such other state;

and

(5) an employee whose duties require him to travel regularly in the service of his employer in this and one or more other states may, by written agreement with his employer, provide that his employment is principally localized in this or another such state, and, unless such other state refuses jurisdiction, such agreement shall be given effect under this act.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 13

H. BILL NO. 66, AS AMENDED

Introduced by

REPRESENTATIVES DAN C. BERRY, JERRY W. SANDT, GEORGE PENNINGTON AND COLIN R. McMILLAN
RELATING TO EDUCATION; AMENDING SECTIONS 77-6-22 AND 77-6-24 NMSA 1953 (BEING LAWS 1967, CHAPTER 16, SECTIONS 76 AND 78, AS AMENDED); ENACTING A NEW SECTION 77-14-2.1 NMSA 1953; PROVIDING FOR VOCATIONAL EDUCATION TRANSPORTATION.

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

Section 1. Section 77-6-22 NMSA 1953 (being Laws 1967, Chapter 16, Section 76, as amended) is amended to read:

"77-6-22. TRANSPORTATION DISTRIBUTIONS.--

A. Money in the regular and special transportation distribution of the equalization fund shall be used only for the purpose of making payments to each school district for the to-and-from school transportation costs of students attending public school within the school district.

B. Money in the vocational education transportation distribution of the equalization fund shall be used only for the purpose of making payments to school districts for transportation costs of students from their regular attendance center to the place where vocational education programs are being offered, pursuant to Section 77-14-2.1 NMSA 1953.

C. The transportation distributions shall be allocated to each school district according to an objective schedule developed by the state transportation director and approved by the state board.

D. In the event the sum of the proposed allocations

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Approved February 26, 1974
to each school district exceeds the amounts in the regular and special
or vocational education transportation distributions at the beginning
of the fiscal year, each school district to receive the particular
distribution shall share in a reduction in the proportion that each
school district's forty-day average daily membership bears to the
forty-day average daily membership of all school districts to receive
the particular distribution."

Section 2: Section 77-6-24 NMSA 1953 (being Laws 1967, Chapter
16, Section 78) is amended to read:

"77-6-24. TRANSPORTATION DISTRIBUTIONS--REPORTS--PAYMENTS.--

A. Prior to December 15 of each year, each local school
board of a school district maintaining a school bus route shall report
to the state transportation director, upon forms furnished by the
state transportation director, the following information concerning
the school year to and including November 30:

(1) the number and designation of school bus routes in
operation in the school district which have been approved by the state
transportation director;

(2) the number and capacity of all school buses in
operation in the school district and the school bus route served by
each school bus;

(3) the number of miles traveled by each school bus
on each school bus route, showing the route mileage in accordance with
the type of road surface traveled; and

(4) the number of students transported on each school
bus route.

B. Each local school board of a school district maintaining a school bus route shall make further reports to the state transportation director concerning the information required by this section at other times specified by the state transportation director.

C. The state transportation director shall certify to the chief the allocations from the transportation distributions to each school district. The allocations for the first six months of a school year shall be based upon the approved final budget of the school district for the current fiscal year. Allocations to a school district for the remainder of the school year shall adjust the amount received by the school district so that it equals the amount the school district is entitled to receive for the entire school year according to its current approved report.

D. The chief shall make periodic installment payments to school districts during the school year from the transportation distributions based upon the allocations certified to him by the state transportation director."

Section 3. A new Section 77-14-2.1 NMSA 1953 is enacted to read:

"77-14-2.1. SCHOOL BUS ROUTES FROM PUBLIC SCHOOL TO VOCATIONAL EDUCATION CENTER.--

A. Any local school board providing vocational education programs through or in cooperation with any other school district or state-supported institution may request the state transportation director to establish vocational education school bus routes. These
school bus routes shall be used to transport students from attendance
centers within the school district to the place where vocational edu-
cation programs are being offered.

B. School bus routes established or maintained for voca-
tional education may be excluded from the provisions of Section
77-14-5 NMCA 1953 by the department of education.

C. The cost of such routes shall be paid from the voca-
tional education transportation distribution, as provided in the Pub-
lie School Finance Act.

Section 4. EFFECTIVE DATE.—The effective date of the provi-
sions of this act is July 1, 1974.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 76

HOUSE BILL NO. 70,

WITH THE EMERGENCY CLAUSE

Introduced by

REPRESENTATIVES SAMUEL F. VIGIL, NICK L. SALAZAR,
BOBBY F. DURAN, ELOY P. QUINTANA, BEN ROYBAL,
LOUIS J. ROMERO, LENTON MALRY, ALVINO E. CASTILLO,
DAVID M. SALMAN AND ABEL McBRIDE

EMERGENCY CLAUSE

137
Chapter 76

AN ACT

RELATING TO THE LUNA AREA VOCATIONAL SCHOOL; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. APPROPRIATION.--There is appropriated from the state general fund to the state department of public education the sum of one hundred ninety-two thousand dollars ($192,000) for the purpose of construction authorized in Laws 1971, Chapter 301, except no federal matching funds shall be required. This appropriation may be spent during the sixty-second and sixty-third fiscal years. Any balance remaining at the end of the sixty-third fiscal year shall revert to the general fund.

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

House Bill 70
Approved February 26, 1974

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The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 87

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR

SENATE BILLS 57 AND 37, as amended, with emergency clause

Introduced by

EMERGENCY CLAUSE
AN ACT

RELATING TO EDUCATION; REVISING CERTAIN LAWS RELATING TO PUBLIC SCHOOL CAPITAL OUTLAY; AMENDING, REPEALING AND ENACTING CERTAIN SECTIONS OF THE NMSA 1953; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. Section 77-24-4 NMSA 1953 (being Laws 1973, Chapter 290, Section 4) is amended to read:

"77-24-4. FUND CREATED--USE.--

A. There is created the "public school capital outlay fund". Balances remaining in the fund at the end of each fiscal year shall not revert.

B. Upon recommendation of the council and approval by the board, money in the fund may only be:

(1) used for the purpose of erecting, remodeling, making additions to and furnishing school buildings or purchasing or improving school grounds or any combination of these purposes in the order set by the capital outlay program report; or

(2) used to purchase property to be loaned to school districts to meet temporary capital outlay requirements.

C. Applications for assistance from the fund shall be made by local school districts or by the department of education on behalf of a local school district to the council, in accordance with requirements of the council.

D. The council shall review all requests for assistance

Approved February 27, 1974
In determining whether or not to recommend an application for assistance from the fund, the council shall consider:

F. (1) the effort of the residents of the district as expressed by the bonding capacity of the school district in relation to
A. Actual use by the school district of its bonding capacity;

(2) the resources available to the school district to meet its capital outlay requirements and the actual use by the school district of those resources;

(3) whether or not the school district advantageously and economically uses its lands and facilities;

(4) other priority needs for the fund; and

(5) when available, the recommendations made or priorities set for expenditures from the fund, by the department of education in its capital outlay program report.

C. The board shall consider all applications recommended by the council for assistance from the fund and after a public hearing shall either approve or deny the application.

II. Money in the fund shall be disbursed by warrant of the department of finance and administration on vouchers signed by the director of the department of finance and administration following certification by the board that the project has been approved.

I. Property to be loaned to a school district shall be purchased by the property control division of the department of finance and administration. Expenses of maintenance of the property while in the custody of the property control division shall be paid from the fund."

Section 2. Section 77-24-5 NMSA 1953 (being Laws 1973, Chapter 290, Section 5) is amended to read:

"77-24-5. ADVISORY COUNCIL CREATED--ORGANIZATION--DUTIES.--
A. There is created the "public school capital outlay advisory council", consisting of the:

(1) director of the department of finance and administration, who shall be chairman;

(2) state superintendent of public instruction;

(3) chief of public school finance; and

(4) president of the New Mexico school boards association.

B. The council shall meet at least once each quarter to investigate all applications for assistance from the fund and to make recommendations to the board in accordance with the provisions of the Public School Capital Outlay Act.

C. After reviewing the priority recommendations of the department of education made pursuant to Subsection A of Section 77-24-6 NMSA 1953, the council shall set numerical priorities for each capital improvement project within the priority classifications as established by the board pursuant to Subsection A of Section 77-24-6 NMSA 1953. Only one project shall be assigned a given number within a single priority classification."

Section 3. TAX REAPPRAISAL PROGRAM REQUIREMENT.--No part of the fund shall go to any district, all or a part of which lies within a county which has not implemented a reappraisal program certified by the property appraisal department as complying with the provisions of Section 72-2-21.9 NMSA 1953 and which has not maintained a reappraisal program certified as adequate by the property appraisal department,
unless the reappraisal has been delayed and there is litigation pending
concerning compliance with a reappraisal contract, and the property
appraisal department so certifies.

Section 4. EMERGENCY CAPITAL OUTLAY FUND.--All funds which are
payable to the emergency capital outlay fund pursuant to Section
77-6-29.1 NMSA 1953 shall be credited to the public school capital
outlay fund and such funds shall be used for the purposes of the
Public School Capital Outlay Act.

Section 5. APPROPRIATION.--There is appropriated from the state
general fund to the public school capital outlay fund two million dol-
ars ($2,000,000). The department of finance and administration shall
transfer twenty thousand dollars ($20,000) from the public school
capital outlay fund to the department of education to maintain the
capital outlay program report and inventory required by the Public
School Capital Outlay Act.

Section 6. REPEAL.--Section 77-6-29.1 NMSA 1953 (being laws 1978,
Chapter 320, Section 1, as amended) is repealed.

Section 7. EMERGENCY.--It is necessary for the public peace,
health and safety that this act take effect immediately.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER 91

HOUSE FLOOR SUBSTITUTE FOR HOUSE PRIVILEGES AND ELECTIONS

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 63, AS AMENDED,
WITH THE EMERGENCY CLAUSE

Introduced by
Chapter 91
AN ACT

PROHIBITING SECRET MEETINGS OF PUBLIC BODIES; PROVIDING A PENALTY; REPEALING A CERTAIN SECTION OF THE NMSA 1953; DECLARING AN EMERGENCY.

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

Section 1. FORMATION OF PUBLIC POLICY.--

A. The formation of public policy or the conduct of business by vote shall not be conducted in secret.

B. All meetings of a quorum of members of any board, commission or other policy-making body of any state agency, or any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such board, commission or other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provisions of this act.

C. Any such meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and at which a majority or quorum of the body is in attendance, shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice shall be reasonable when applied to such body.

D. Such minutes as may reasonably be required by the board, commission or other policy-making body shall be recorded and be open.

HFS/HPECS/HB 63
Approved February 28, 1974
to public inspection.

E. The provisions of this section shall not apply to all-
judicatory or personnel matters nor to meetings pertaining to issuance,
suspension, renewal or revocation of a license, nor meetings of grand
juries. Nothing in this section shall be construed to deny or permit
an aggrieved person the right to demand a public hearing.

Section 2. STATE LEGISLATURE--MEETINGS.--

A. All meetings of a quorum of members of any committee or
policy-making body of the state legislature held for the purpose of
discussing public business or for the purpose of taking any action
within the authority of or the delegated authority of such committee
or body are declared to be public meetings open to the public at all
times.

B. The provisions of Subsection A of this section shall not
apply to matters relating to personnel, or matters of declaratory in
nature, or any bill, resolution or other legislative matter not yet
presented to either house of the legislature or general appropriation
bills.

C. For the purposes of this section, "meeting" means a
gathering of the members called by the presiding officer of a stand-
ing committee.

Section 3. INVALID ACTIONS--STANDING.--

A. No resolution, rule, regulation, ordinance or action of
any board, commission, committee or other policy-making body shall be
valid unless taken or made at a meeting held in accordance with the
requirements of Section 1 of this act. Every resolution, rule, regulation, ordinance or action of any board, commission, committee or other policy-making body shall be presumed to have been taken or made at a meeting held in accordance with the requirements of Section 1 of this act.

B. The district courts of this state shall have jurisdiction to issue injunctions for good cause shown to enforce the purposes of this act upon the application of five or more citizens of this state.

C. Sections 3 and 4 of this act shall not be construed to preclude other remedies or rights not relating to the question of open meetings.

D. The provisions of this act shall be enforced by the attorney general, except as otherwise set forth herein.

Section 4. PENALTY. Any person violating any of the provisions of Section 1 or 2 of this act is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars ($100) for each offense.

Section 5. REPEAL. Section 5-6-17 NMSA 1953 (being Laws 1959, Chapter 120, Section 1) is repealed.

Section 6. SEVERABILITY. If any provision of this act, or its application to any person or circumstance is held invalid, the validity of the remainder of the act or its application to other situations or persons shall not be affected.

Section 7. EMERGENCY. It is necessary for the public peace,
health and safety that this act take effect immediately.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS

CHAPTER

HOUSE MEMORIAL NO. 12

Introduced by

REPRESENTATIVE ABEL E. McBRIEDE
A MEMORIAL. REQUESTING THE STATE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INSTITUTING A PROGRAM FOR THE TRAINING OF PARENTS OF PRE-SCHOOL CHILDREN IN ORDER TO PROVIDE THESE CHILDREN WITH A HOME ENVIRONMENT CONducive TO LEARNING.

WHEREAS, the home environment of school children has a direct relationship to their achievement at school and may act as an important auxiliary to the classroom in the education of children; and

WHEREAS, the choice of playthings, the availability of books and other publications, the type of recreation permitted and the choice of a vacation program all have a direct relationship to the education of a child; and

WHEREAS, parental discipline and encouragement are important to the development of good study habits, a desire to achieve and the satisfaction in achievement;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the state department of education is requested to study the feasibility of instituting a program at the local level for the training of parents of pre-school children to provide a home environment for school children that will be most conducive to educational achievement, whether through the parent-teacher associations, community organizations or through local school district clinics; and to report the findings of the study and any recommendations they deem necessary to the first session of the thirty-second legislature;
and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted
to the state board of education and the state superintendent of
education.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS 1974

CHAPTER ______

HOUSE MEMORIAL NO. 13

Introduced by
REPRESENTATIVES ABE E. McBRIDE
AND HOYT PATTISON

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A MEMORIAL

REQUESTING THE STATE DEPARTMENT OF EDUCATION TO WORK WITH SMALL RURAL SCHOOLS TO PROVIDE TECHNICAL ASSISTANCE NECESSARY TO CONTINUE AND IMPROVE THEIR EFFECTIVENESS AS EDUCATIONAL INSTITUTIONS.

WHEREAS, the small rural schools have been educational agencies successful in the training and development of many of our finest citizens; and

WHEREAS, the small schools in rural communities provide a means of communication and mutual development between the school, the student, the family and the community; and

WHEREAS, geographic isolation necessitates the continued use and improvement of the small rural schools in New Mexico as an integral part of our educational system;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the state department of public education be requested to work with small rural schools to provide technical assistance necessary to continue and improve their effectiveness as existing educational institutions through the development of educational programs, unrestricted by the traditional limitations of grades and classrooms on educational achievement, including the concepts of ungraded groupings, continuous progress and open-concept approaches to education, differentiated staffing and the development of educational programs tailored to the needs of the local school district; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted
to the state board of public education, the superintendent of education
and to the legislative school study committee.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS

CHAPTER

SENATE JOINT MEMORIAL 1, as amended

Introduced by

SENATOR JOHN D. ROGERS
SENATOR PAUL F. BECHT
SENATOR AUBREY L. DUNN
SENATOR FRED A. GROSS, JR.
SENATOR CONSUELO J. KITZES
SENATOR RAY LEGER
SENATOR ANTHONY A. LUCERO
SENATOR THEODORE R. MONTOYA
SENATOR JAMES S. FEIRONNET, JR.
A JOINT MEMORIAL

REQUESTING STATE AGENCIES, INSTITUTIONS OF HIGHER LEARNING AND BUSINESS AND COMMERCE ASSOCIATIONS TO STUDY, PREPARE FOR AND SUBMIT INFORMATION TO THE LEGISLATURE ON CONVERSION TO THE METRIC SYSTEM.

WHEREAS, the desirability of metrication throughout the United States by 1984 is under serious consideration by both executive and legislative branches of the United States government; and

WHEREAS, metrication in New Mexico will require extensive planning, educational programs and cooperation of both the public and private sectors in order to estimate costs and evaluate the possible practical difficulties which may be encountered during conversion to a metric system of weights and measures;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that each state agency is requested to study metrication, identify whether they will be involved in conversion to the metric system, define the nature of any further study required to establish fully cost estimates for a conversion program and prepare a report relating to such agency's conversion to the metric system of weights and measures by 1984; and

BE IT FURTHER RESOLVED that the state department of education and each public institution of higher learning is requested to consider appropriate textbook amendments, instructional materials acquisition and programs which are consistent with federal metric conversion goals and which are designed to prepare students and teachers for the
eventual conversion to the metric system of weights and measures; and

BE IT FURTHER RESOLVED that business and commerce associations
are requested to assist and cooperate with state agencies to prepare
for metrification; and

BE IT FURTHER RESOLVED that state agencies, the state department
of education, institutions of higher learning and business and commerce
associations submit copies of their respective reports, studies,
proposed programs and cost estimates to the legislative council service
prior to November 1, 1974 for consideration and study by the legisla-
ture; and

BE IT FURTHER RESOLVED that copies of this memorial be trans-
mitted to the chief officer of each state agency, each institution
of higher learning and each association of business and commerce in
this state.
The Legislature
of the
State of New Mexico

31st Legislature, 2nd Session

LAWS

CHAPTER

SENATE MEMORIAL 8, as amended

Introduced by
SENATOR ROBERT H. MCBRIDE
A MEMORIAL

REQUESTING THE STATE DEPARTMENT OF EDUCATION TO STUDY THE POSSIBILITY THAT THE APPAREL AND EQUIPMENT OF SCHOOL-CROSSING GUARDS BE OF A REFLECTIVE TYPE MATERIAL.

WHEREAS, this state and nation have adopted the twelve-month use of daylight savings time as an energy conservation measure; and
WHEREAS, the use of daylight savings time during fall and winter months increases the hours of darkness during which children are en route to school and when motor vehicle traffic reaches high levels; and
WHEREAS, it is well known and established by research that darkness decreases the ability of motorists to see pedestrians; and
WHEREAS, being struck by motor vehicles is already a leading cause of accidental death to school-age children; and
WHEREAS, parents, school officials and law enforcement agencies are greatly concerned about affording high visibility protection to school-crossing guards in periods of darkness when flags, apparel and devices now furnished are not effective; and
WHEREAS, it is well known and established by research that the use of reflective type material on flags, apparel and devices will provide adequate visibility to approaching motorists during darkness; and
WHEREAS, widespread use of reflective type material has been used for school children in the Scandinavian nations whose northern lati-
tudes require them to go to school in periods of darkness and in
Great Britain when that nation adopted year-around daylight saving
time; and

WHEREAS, the use of reflective type materials by pedestrians
has been endorsed and urged by the United States public health
service as well as many professional and civic organizations;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF
NEW MEXICO that the state board of education is requested to study
the possibility that the apparel and equipment used by school-crossing
guards be of a reflective type material in order to be conspicuous to
motorists both in daylight and darkness; and

BE IT FURTHER RESOLVED that a copy of this memorial be trans-
mitted to the state department of education.
A MEMORIAL

DIRECTING THE LEGISLATIVE SCHOOL STUDY COMMITTEE TO STUDY TENURE RIGHTS OF SCHOOL PERSONNEL AND TO STUDY QUALIFICATIONS OF CERTIFIED TEACHING ASSISTANTS.

WHEREAS, there has been no recent or detailed review of the laws of our state establishing tenure rights for school personnel and their application and impact upon the public schools of this state; and

WHEREAS, certified teaching assistants perform valuable and indispensible services on the behalf of the educational process of our public school system; and

WHEREAS, service by such teaching assistants should perhaps receive recognition as in the case of other certified personnel in the area of job security;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the legislative school study committee be directed to study the tenure provisions of the Public School Code and their application to personnel and their impact upon the educational process in our public schools; and

BE IT FURTHER RESOLVED, that the legislative school study committee be directed to study the teaching assistant program in our public school system, the qualifications for such assistants and the possible granting of tenure rights to such teaching assistants; and

BE IT FURTHER RESOLVED, that said study committee submit its re-
commendations together with suggested guidelines and qualifications to the first session of the thirty-second legislature; and

BE IT FURTHER RESOLVED, that a copy of this memorial be transmitted to the legislative school study committee.
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