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January 27, 2011

## NEA-New Mexico's Legislative Conference Is Great Success

More than 100 members of NEA-New Mexico attended our 2011 Legislative Conference Wednesday in Santa Fe at the NEA-NM Headquarters building. Members spent time learning about the issues facing the 2011 legislature. The most pressing issue is school funding. Members talked to their own legislators in the afternoon and told them that schools have already been cut too much. When these advocates return home, their work really begins as they work to convince their colleagues to stay involved in the legislative process for the rest of this legislative session. Join them in staying informed and involved. The proposed budgets are summarized below.

## One More Long Weekend in Slow Starting Session

Both the House and Senate have adjourned until Monday Morning, with most committee business postponed until next week. This legislative is off to a very slow start, mostly due to the fact that little money makes for a depressing atmosphere with most legislators anticipating little action or new programs. Some legislators will return home for what likely be the last long weekend of the legislative session. Next week committees will start actual work on budget proposals. In the meantime, our message must be "No more cuts." See them at home, phone, or email with that simple message. More budget information follows.

## Budget Proposals All Cut, Cut, Cut

The budget recommendations of the Governor, the Legislative Finance Committee (LFC), and the Legislative Education Study Committees (LESC) all recommend cuts to public school spending.

Although the LESC budget for basic school funding through the State Equalization Guarantee is slightly higher than the other two, it still recommends a cut of \$26.8 million plus an additional cut of \$27.7 million to force school employees to pay an additional 1.75% of salary as retirement system contributions for total cut of \$54.5 million.

The LFC budget cuts \$47.6 million plus the \$27.7 in the retirement increases for a total \$75.3 million cut.

The Governor cuts \$29.5 plus a new twist on the retirement increase by holding classroom personnel (teachers and educational assistants) harmless from the increase that is estimated as between \$10 million and \$16 million. So the Governor's cut is between \$39.5 million and \$45.5 million. The Governor asserts that \$30 million of her proposed cut can come out of public school "administration."

While all the cuts are unconscionable, the Governor does at least attempt to prioritize public school funding.

## The Constitution and School Funding

New Mexico's Constitution in Article XII section one mandates that the state create and fund our public schools by stating:

"A uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state shall be established and maintained."

We've got the established part down, it's the "maintained" portion where the legislature has been falling short! The cuts of recent years have made the quest for sufficient funding even more remote. Tell legislators that it's not just the right thing to do when they fund our schools; it's their constitutional duty!

Section two and four of Article XII create the permanent and current school funds from the proceeds of state lands given to New Mexico upon its entry into the Union. The permanent school fund is usually referred to as the Land Grant Permanent fund and the constitution further restricts how these funds can be spent by stating in section 3:

". . . no part of the proceeds arising from the sale . . . or disposal of any lands granted to the state by congress, or any other funds appropriated, levied or collected for educational purposes, shall be used for the support of any sectarian, denominational or private school, college or university."

In a special election in 2003 we increased school funding by allowing an increase in the portion of investment income that we spend rather than save. That constitutional amendment moved the amount from 4.7% to 5% permanently and temporarily increased it to 5.8% through 2012 and 5.5% through 2017 when it drops back down to 5%. When and if these decreases occur base funding for public schools will drop by about \$10 million dollars for each tenth of a percent. We need to head off these drops in funding by making the 5.8% permanent before the decreases begin. Representative Jim Trujillo has proposed a constitutional amendment to do just that. House Joint Resolution 1 will make the 5.8% permanent and prevent the cuts to school funding that will occur in 2012

and 2017. Its first hearing is in the House Taxation and Revenue Committee. Let committee members know how important this amendment is to prevent even more cuts to school funding.

## When Does Getting More Money for Early Childhood Become a Bad Idea?

Speaking of the Constitution, some very good people with some very good motives have come up with a very bad idea! Early childhood advocates want to use the permanent fund described above to fund their programs, many of which are provided by private and religious entities! They plan a competing amendment to cut school funding to 5.5% permanently and raise an additional 1.5% from the permanent to spend on early childhood programs. That raises the payout from the fund from the current 5.8% to 7%. The cut to school funding is bad enough, but giving the funds to private and religious providers would require changing the provision in Article XII section 3 that forbids "support of any sectarian, denominational or private school, college or university." This opens the door to school vouchers and other raids on funds intended for public schools! You may have seen the reports of the "yellow umbrella" rally for early childhood. What you probably didn't know is that it's your money they want!

While supporting early childhood programs is a good idea, the funding mechanism that these advocates seek devastates a major part of school funding and must be opposed. Tell legislators not to put school funds in jeopardy even for a very worthy cause! Tell them to support all programs for children, public schools and early childhood supports in a legal and constitutional manner.

Many Legislators will likely return home this weekend, perhaps as early as Friday. Contact them there to tell them that public education should be spared from any additional cuts.

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