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HOUSE BILL 118

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Derrick J. Lente

AN ACT

RELATING TO EARLY CHILDHOOD; AUTHORIZING THE EARLY CHILDHOOD
EDUCATION AND CARE DEPARTMENT TO ENTER INTO JOINT POWERS
AGREEMENTS WITH TRIBAL GOVERNMENTS; MAKING AN APPROPRIATION.

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

SECTION 1. Section 9-29-8 NMSA 1978 (being Laws 2019,
Chapter 48, Section 8) is amended to read:

"9-29-8. DEPARTMENT--DUTIES.--The department shall:

A. develop priorities for department programs and
the use of department resources based on state policy, national
best-practice standards, evidence-based interventions and
practices and local considerations and priorities;

B. coordinate and align an early childhood
education and care system to:

(1) include child care, pre-kindergarten,

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1 early pre-kindergarten, home visitation, early head start, head
2 start, early childhood special education and early intervention
3 and family support; and

4 (2) provide New Mexico families with
5 consistent access to appropriate care and education services;

6 C. administer the child care assistance, child care
7 licensing and registered child care home programs;

8 D. develop standards for the department-sponsored
9 delivery of early childhood programs;

10 E. cooperate with other state agencies that affect
11 children to develop common contracting procedures and service
12 definitions and a uniform system of access to early childhood
13 programs;

14 F. develop reimbursement criteria for child care
15 centers and home providers licensed by the department;

16 G. conduct biennial assessments of child care or
17 early learning service gaps and needs and establish plans to
18 address those service gaps and needs;

19 H. conduct pre-employment fingerprint-based
20 national criminal background checks on all department
21 employees, including those whose employment by the department
22 arises as a result of the transfer provisions of [~~Section 34 of~~
23 ~~this 2019 act~~] Laws 2019, Chapter 48, Section 34, and on staff
24 members and volunteers of department-contracted providers whose
25 jobs involve direct contact with children participating in

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1 programs delivered by the department or those providers;

2 I. provide a system of seamless transition from
3 prenatal to early childhood programs to kindergarten;

4 J. provide consumer education and accessibility to
5 early childhood care and education programs;

6 K. advance quality early childhood education and
7 care programs to support the development of children to prepare
8 them for success in school;

9 L. ensure effective collaboration with state and
10 local child welfare programs and early childhood health and
11 behavioral health programs;

12 M. develop and manage effective data systems to
13 support the necessary functions of a coordinated program;

14 N. develop an aligned system of workforce
15 development for early childhood professionals; ~~and~~

16 O. promote culturally and linguistically
17 appropriate programming and provide equal education and care
18 opportunities to non-English speaking families; and

19 P. upon a request from an Indian nation, tribe or
20 pueblo, located in whole or in part in New Mexico, enter into a
21 joint powers agreement with such Indian nation, tribe or pueblo
22 to plan, conduct and administer one or more early childhood
23 education and care programs, including programs such as those
24 listed in Paragraph (1) of Subsection B of this section, with
25 the Indian nation, tribe or pueblo using its own culturally and

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1 linguistically relevant standards, assessments and
2 evaluations."

3 SECTION 2. APPROPRIATION.--One million four hundred
4 thousand dollars (\$1,400,000) is appropriated from the general
5 fund to the early childhood education and care department for
6 expenditure in fiscal year 2023 to conduct and administer
7 culturally and linguistically relevant early childhood
8 education and care programs on tribal lands. Any unexpended or
9 unencumbered balance remaining at the end of fiscal year 2023
10 shall revert to the general fund.

11 SECTION 3. EFFECTIVE DATE.--The effective date of the
12 provisions of this act is July 1, 2022.