

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: *HB 191a

49th Legislature, 1st Session, 2009

Short Title: Interim School Transportation Task Force

Sponsor(s): Representative Roberto “Bobby” J. Gonzales and Others

Analyst: Peter B. van Moorsel

Date: March 4, 2009

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AS AMENDED

The House Appropriations and Finance Committee amendment changes the source of the appropriation from the General Fund to legislative cash balances.

Original Bill Summary:

Among its provisions, HB 191:

- Creates the joint interim Public School Transportation Task Force to examine:
 - the statutes, constitutional provisions, rules, and court decisions governing public school transportation in New Mexico, including those provisions related to the transportation funding formula;
 - the personnel costs to school districts and school bus contractors;
 - the costs of fuel, equipment and maintenance; and
 - the administration of the public school transportation program.
- Requires that the Legislative Council appoint the following members to the task force:
 - four members from the House of Representatives;
 - four members from the Senate; and
 - four other members, including a representative of a public school district, a charter school, a school bus contractor, and an organization representing school bus transportation employees employed by school bus contractors.
- Requires the task force to make a report of its findings and recommendations to the Legislature and the Governor on or before December 1, 2009.
- Appropriates funds to the Legislative Council Service for expenditure in FY 10 to pay the expenses of the task force.

* HB 191 contains an emergency clause.

Original Fiscal Impact:

\$20,000 is appropriated from the General Fund to the Legislative Council Service for expenditure in FY 10.

Unexpended or unencumbered funds revert to the General Fund.

Background:

Passed during the 2008 legislative session, Senate Joint Memorial 12 requested that a work group consisting of the Public Education Department (PED), the Legislative Education Study Committee (LESC), and the Legislative Finance Committee, in collaboration with public school district administrators and representatives of private school bus contractors, examine the funding or school transportation contracts to ensure that employees of private school bus contractors have full access to the wages and benefits available to the contractor.

In December 2008, PED reported in a letter to the LESL that it did not convene such a work group during the 2008 interim, stating that the department, during the 2008 interim, compiled data regarding school bus contractor employee benefits instead and had to address the following issues:

- a school bus contractor walk-out in Moriarty;
- a contractor change in Las Cruces; and
- a funding estimate for public school transportation fuel during the 2008 special session¹.

In its letter, PED recommended that the Legislature form a task force to study issues related to public school transportation. PED noted that no study of public school transportation had been conducted since 1994, at which time the legislative-appointed task force recommended that a study of public school transportation be conducted at least once every 10 years.

Related Bills:

*HB 205 *School District Bus Purchasing Authority*
HB 235a *Contracted School Bus Driver Salary Increase*
HB 485 *Contractor-Owned School Bus Liens*

¹ In response to rising diesel fuel costs, the Legislature, during the 2008 special session, appropriated \$4.0 million to PED to distribute to public school districts for fuel for transportation to and from school. Introduced during the 2009 session, reflecting the recent decline in fuel costs, *CS/HB 10 reduces the FY 09 appropriation for the transportation distribution.