

1 HOUSE BILL 419

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Dennis J. Roch

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8 FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

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10 AN ACT

11 RELATING TO SCHOOL TRANSPORTATION; CHANGING THE DATES FOR
12 REPORTING SCHOOL TRANSPORTATION INFORMATION TO THE STATE
13 TRANSPORTATION DIRECTOR; CHANGING THE BASES FOR DETERMINING
14 TRANSPORTATION DISTRIBUTION ALLOCATIONS.

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

17 SECTION 1. Section 22-8-29 NMSA 1978 (being Laws 1967,
18 Chapter 16, Section 78, as amended) is amended to read:

19 "22-8-29. TRANSPORTATION DISTRIBUTIONS--REPORTS--
20 PAYMENTS.--

21 A. [~~Prior to November 15 of each year~~] On the
22 second reporting date and the third reporting date, each local
23 school board of a school district and governing body of a
24 state-chartered charter school shall report to the state
25 transportation director, upon forms furnished by the state

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1 transportation director, the following information concerning
2 the school district's or state-chartered charter school's
3 operation on ~~[the first]~~ each respective reporting date of the
4 current year:

5 (1) the number and designation of school bus
6 routes in operation in the school district;

7 (2) the number of miles traveled by each
8 school bus on each school bus route, showing the route mileage
9 in accordance with the type of road surface traveled;

10 (3) the number of students, including special
11 education students, transported on ~~[the first]~~ each respective
12 reporting date of the current year ~~[and adjusted for special~~
13 ~~education students on December 1]~~;

14 (4) the projected number of students to be
15 transported in the next school year;

16 (5) the seating capacity, age and mileage of
17 each bus used in the school district for student
18 transportation; and

19 (6) the number of total miles traveled for
20 each school district's or state-chartered charter school's per
21 capita feeder routes.

22 B. Each local school board of a school district and
23 governing body of a state-chartered charter school maintaining
24 a school bus route shall make further reports to the state
25 transportation director at other times specified by the state

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1 transportation director.

2 C. The state transportation director shall certify
3 to the secretary that the allocations from the transportation
4 distributions to each school district [~~and state-chartered~~
5 ~~charter school~~] are based upon the transportation distribution
6 formula established in the Public School Code, [~~The allocations~~
7 ~~for the first six months of a school year shall be based upon~~
8 ~~the tentative transportation budget of the school district or~~
9 ~~state-chartered charter school for the current fiscal year.~~
10 ~~Allocations to a school district or state-chartered charter~~
11 ~~school for the remainder of the school year shall adjust the~~
12 ~~amount received by the school district or state-chartered~~
13 ~~charter school so that it equals the amount the school district~~
14 ~~or the state-chartered charter school is entitled to receive~~
15 ~~for the entire school year based upon the November 15 report~~
16 ~~and] calculated and distributed for the entire school year~~
17 ~~using an average of the amounts reported on the second~~
18 ~~reporting date and third reporting date of the prior school~~
19 ~~year, subject to audit and verification.~~

20 D. The department shall make periodic installment
21 payments to school districts and state-chartered charter
22 schools during the school year from the transportation
23 distributions, based upon the allocations certified by the
24 state transportation director."