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HOUSE BILL 235

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Thomas A. Garcia

AN ACT

RELATING TO PUBLIC SCHOOLS; AMENDING A SECTION OF THE PUBLIC SCHOOL FINANCE ACT TO PROVIDE FOR SALARY INCREASES FOR CONTRACTED SCHOOL BUS DRIVERS.

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

Section 1. Section 22-8-26 NMSA 1978 (being Laws 1967, Chapter 16, Section 76, as amended) is amended to read:

"22-8-26. TRANSPORTATION DISTRIBUTION.--

A. Money in the transportation distribution of the public school fund shall be used only for the purpose of making payments to each school district or state-chartered charter school for the to-and-from school transportation costs of students in grades kindergarten through twelve attending public school within the school district or state-chartered charter school and of three- and four-year-old children who meet the

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1 department-approved criteria and definition of developmentally  
2 disabled and for transportation of students to and from their  
3 regular attendance centers and the place where vocational  
4 education programs are being offered.

5 B. In the event a school district's or state-  
6 chartered charter school's transportation allocation exceeds  
7 the amount required to meet obligations to provide  
8 to-and-from transportation, three- and four-year-old  
9 developmentally disabled transportation and vocational  
10 education transportation, fifty percent of the remaining  
11 balance shall be deposited in the transportation emergency  
12 fund.

13 C. Of the excess amount retained by the school  
14 district or state-chartered charter school, at least  
15 twenty-five percent shall be used for to-and-from  
16 transportation-related services, excluding salaries and  
17 benefits, and up to twenty-five percent may be used for other  
18 transportation-related services, excluding salaries and  
19 benefits as defined by rule of the department.

20 D. In the event the sum of the proposed  
21 transportation allocations to each school district or state-  
22 chartered charter school exceeds the amounts in the  
23 transportation distribution, the allocation to each school  
24 district or state-chartered charter school shall be reduced in  
25 the proportion that the school district or state-chartered

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1 charter school allocation bears to the total statewide  
2 transportation distribution.

3 E. A local school board or governing body of a  
4 state-chartered charter school, with the approval of the state  
5 transportation director, may provide additional transportation  
6 services pursuant to Section 22-16-4 NMSA 1978 to meet  
7 established program needs.

8 F. Nothing in this section prohibits the use of  
9 school buses to transport the general public pursuant to the  
10 Emergency Transportation Act.

11 G. All appropriations to the transportation  
12 distribution of the public school fund that provide salary  
13 increases for transportation employees shall include increases  
14 for contracted school bus drivers and attendants equal to those  
15 for employees."

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