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FISCAL IMPACT REPORT

ORIGINAL DATE 02/11/09
 LAST UPDATED 03/12/09 **HB** 289/aHCPAC/aSEC

SPONSOR Roch

SHORT TITLE Charter School Authority Subcommittees **SB** _____

ANALYST Aguilar

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)
 Office of Educational Accountability (OEA)
 Higher Education Department (HED)

SUMMARY

Synopsis of SEC Amendment

The Senate Education Committee amendment to House Bill 289 as amended provides for those members of a chartering authority not present at the public hearing held by a subcommittee shall receive a copy of the transcript of the public hearing together with documents submitted for the public hearing. The amendment changes language from “shall review” to “shall receive.”

Synopsis of HCPAC Amendment

The House Consumer and Public Affairs Committee amendment to House Bill 289 provides that a subcommittee of chartering authority members assigned hold public hearing on charter school applications be comprised of at least three members.

Synopsis of Original Bill

House Bill 289 provides for chartering authorities to designate subcommittees to hold public hearings on charter school applications, requires all subcommittee hearings to be transcribed for later review, and requires all other chartering authority members not on the subcommittee to review the record prior to ruling on a charter school application.

FISCAL IMPLICATIONS

None specifically noted.

HB 289 would likely result in a budget savings for the Public Education Commission (PEC). Currently, a quorum of six commissioners is required to attend all public input meetings. PED estimates that the per diem cost could exceed \$6,000 depending on the location of each hearing. The cost incurred by the district or the PEC (chartering authority) to transcribe the subcommittee hearings should be less than the per diem cost for a quorum of commissioners to attend the public hearing.

SIGNIFICANT ISSUES

HB 289 changes the current statutory requirement that the PEC conduct a public “meeting,” which necessitates a quorum of the commissioners to be present, to a public “hearing.” PED states that because of the distance for each “meeting” plus the commitment of up to a week, it has been a challenge for the PEC to meet the quorum requirement. The lack of a quorum under the current statute would require the rescheduling of the public meeting. By holding a public hearing rather than a public meeting the requirement for a quorum would be alleviated.

HB 289 requires that any member not present must review the transcript and any documents presented at the public meeting prior to any ruling on a charter school application.

ADMINISTRATIVE IMPLICATIONS

HB 289 would require the chartering authority (school district or PEC) to secure the services of a professional transcriber to ensure accuracy of transcription of public testimony. The chartering authority would also have to arrange for the secure storage and maintenance of these records.

PA/svb:mt