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FISCAL IMPACT REPORT

ORIGINAL DATE 2/23/2009

SPONSOR Ulibarri LAST UPDATED _____ HB _____

SHORT TITLE County Cattle Guards Near School Bus Routes SB 553

ANALYST Aguilar

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		Indeterminate (May be Positive to Counties)				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)
 Office of Educational Accountability (OEA)
 Department of Finance and Administration (DFA)
 Higher Education Department (HED)

SUMMARY

Synopsis of Bill

Senate Bill 553 provides for the board of county commissioners of each county shall construct cattle guards where privately owned fences intersect school bus routes only on county roads. The language clarifies that cattle guards will only be constructed on county roads where privately owned fences intersect school bus routes.

FISCAL IMPLICATIONS

None noted, however it appears that implementation of the provisions of this bill would result in counties saving money as fewer cattle guards would be required countywide.

SIGNIFICANT ISSUES

The association of counties reports that there have been situations where counties have been required to construct cattle guards on private property because the statute reads "school bus routes in the county" rather than "school bus routes on county roads when". This construction of

cattle guards on private property may violate the anti-donation clause of the constitution of the State of New Mexico.

PA/mc