

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 76a

50th Legislature, 1st Session, 2011

Tracking Number: .183905.1

Short Title: Create School Transportation Task Force

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

Analyst: Eilani Gerstner

Date: February 21, 2011

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AS AMENDED

The House Transportation and Public Works Committee amendments:

- **reduce the membership of the task force to three members from each house of the Legislature;**
- **add a member to the task force from the Department of Public Safety; and**
- **strike the appropriation.**

Original Bill Summary:

Among its provisions, HB 76:

- 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 public school transportation funding formula;
 - personnel costs to school districts and school bus contractors;
 - costs of fuel, equipment and maintenance; and
 - administration of the public school transportation program.
- Requires that the Legislative Council appoint the following members to the task force:
 - five members from the House of Representatives;
 - five members from the Senate; and
 - six other members, including a representative of the Public Education Department (PED), the Office of Education Accountability (OEA) of the Department of Finance and Administration, 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, 2011.
- Appropriates funds to the Legislative Council Service (LCS) for expenditure in FY 12 to pay the expenses of the task force.

Fiscal Impact:

\$20,000 is appropriated from the General Fund to the LCS for FY 12.

Unexpended or unencumbered funds revert to the General Fund.

HB 3, as amended by the House Education Committee, also includes an appropriation of \$20,000 to the LCS for the task force.

Substantive Issues:

- In the bill analysis for HB 76, PED notes that a legislative task force appointed in 1994 to study school transportation recommended that the issue be revisited every 10 years.
- PED also notes that issues involving terminations or non-renewals of school bus service contracts have placed hardships on some school districts and created difficulties in collecting overpayments to contractors.
- In 2009 the Legislature passed Legislative Education Study Committee (LESC)-endorsed legislation establishing a Public School Transportation Task Force; however, the bill was vetoed.

Background:

Since at least 2007, the LESC has been concerned with establishing a work group or task force to study school transportation.

During the 2008 legislative session, LESC-endorsed SJM 12 passed requesting that PED, the LESC, and the Legislative Finance Committee, in collaboration with public school district administrators and representatives of private school bus contractors, examine the funding of school transportation contracts to ensure that employees of private school bus contractors have full access to the wages and benefits available to the contractor. The memorial requested a report from PED by October 1, 2008.

In December 2008, PED reported in a letter to the LESC that it did not convene such a work group during the 2008 interim, and the department recommended that the Legislature form a task force to study issues related to public school transportation, as was recommended in 1994 by the previous legislative school transportation task force.

Related Bills:

*HB 3a *Education Appropriation Act*