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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
56th Legislature, 1st Session, 2023

Bill Number HB216/aHFI#1 **Sponsor** Romero, GA/Roybal Caballero/Trujillo/Ezzell/Moya
Tracking Number .224219.2 **Committee Referrals** HEC
Short Title LESC Public Education Study
Analyst Hathaway **Original Date** 2/7/23
Last Updated 2/17/23

BILL SUMMARY

Synopsis of HFI#1 Amendment

House Floor amendment #1 to House Bill 216 (HB216/aHFI#1) would add an effective date of July 1, 2024, allowing additional time to coordinate and organize the increased responsibilities of the Legislative Education Study Committee (LESC).

Synopsis of Original Bill

House Bill 216 (HB216) expands the scope of work of the LESC to include the study of New Mexico's entire public educational system.

FISCAL IMPACT

This bill does not contain an appropriation. LESC staff report that current funding and staff count would be sufficient to accommodate the increased workload.

SUBSTANTIVE ISSUES

Currently, Section 2-10-3 NMSA 1978 (Laws 1971, Chapter 287) restricts LESC from studies related to early childhood education and postsecondary education (other than for teacher preparation programs offered at postsecondary institutions) and from replicating studies conducted by the Institutional Finance Division of the Higher Education Department (HED).

Despite early childhood comprising about 3 percent of general fund appropriations and postsecondary education comprising about 13 percent of general fund appropriations in FY23, there is not an interim legislative committee tasked with the comprehensive study of either early childhood or postsecondary education in New Mexico. The Legislative Finance Committee provides fiscal analysis related to early childhood and postsecondary education, and some policy guidance in the form of performance measures and program evaluations. The LESC hears testimony and provides analysis on public school subject matters that overlap with early childhood

and postsecondary education such as prekindergarten, dual credit, advanced placement (AP) coursework, educator preparation, and college readiness.

The Early Childhood Education and Care Department (ECECD) has oversight responsibilities for early childhood education and care services within the state (see Sections 9-29-1 NMSA 1978 through 9-29-12 NMSA 1978). HED also has oversight responsibilities for public and private postsecondary educational institutions operating within the state (see Sections 21-2-3 and 21-1-26 NMSA 1978). This bill would increase the scope of the LESC's work to include the entire pipeline of public education, providing consistent analysis across all educational matters, from early childhood through the state's postsecondary education system.

During the legislative session, LESC staff assist the standing education committees of the two chambers, as well as other committees, by providing analyses of public school-related legislation under consideration and by supplying technical support in the development of public school support appropriations. In this role, staff members prepare expository, statistical, and graphic analyses of both financial and programmatic aspects of the entire New Mexico educational system. Staff members also assist individual legislators in drafting legislation, researching education topics, and analyzing potential advantages and disadvantages of measures under consideration.

Legislative members are charged with hearing bills on all educational matters, but may not currently hear about these issues thoroughly during the interim. With current limitations on LESC authority to study education beyond the kindergarten through 12th grade system, LESC staff is not always well versed in early childhood or postsecondary education matters—and also lacks the authority to gather relevant data from ECECD or HED—and cannot always fully staff and support legislators during the legislative session as a result. This may create a gap in members' understanding of many early childhood and higher education topics and limits staff support available to them when they must hear bills on these matters.

OTHER SIGNIFICANT ISSUES

This bill is nearly identical to House Bill 25 from the 2021 legislative session, which was passed by the Legislature, but vetoed by the governor. This bill is also nearly identical to Senate Bill 195 from the 2017 legislative session, which passed in the Senate but did not receive a hearing in the House Education Committee. It is also nearly identical to House Bill 469 from the 2015 legislative session, which passed unanimously in the House but did not receive a hearing in the Senate Education Committee.

Created in 1965 as a permanent bipartisan, bicameral interim committee of the New Mexico Legislature, the LESC:

- Conducts a continuing study of education in New Mexico, the laws governing such education and the policies and costs of the New Mexico educational system, including the training of certified teaching personnel in postsecondary institutions;
- Recommends changes in laws relating to education; and
- Makes a full report of its findings and recommendations.

The LESC is composed of 31 legislators (10 voting, 21 advisory) appointed to provide proportionate representation from both houses and both political parties. Assisted by a permanent staff, the committee meets regularly during the interim to study education issues. To fulfill its statutory responsibilities, the LESC attempts to provide all legislators with objective information

pertaining to New Mexico public schools as well as staying current with—and informing legislative members about—state and national education research and trends.

SOURCES OF INFORMATION

- LESC Files

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