

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current FIRs (in HTML & Adobe PDF formats) are available on the NM Legislative Website (legis.state.nm.us). Adobe PDF versions include all attachments, whereas HTML versions may not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

ORIGINAL DATE 02/02/08

SPONSOR Miera LAST UPDATED \_\_\_\_\_ HB 558

SHORT TITLE Educational Assistant Minimum Salaries SB \_\_\_\_\_

ANALYST Hanika-Ortiz

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY08	FY09		
	\$33,716.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

State Personnel Office (SPO)

New Mexico Higher Education Department (NMHED)

### SUMMARY

#### Synopsis of Bill

HB 558 appropriates \$33.716 million from the General Fund to PED for expenditure in FY09 to distribute to school districts and charter schools to provide minimum salaries for educational assistants who meet the educational qualifications provided in Section 22-10A-17.1 NMSA 1978.

### FISCAL IMPLICATIONS

The appropriation of \$33.716 million contained in this bill is a recurring expense to the General Fund. Any unexpended or unencumbered balance remaining at the end of FY09 shall revert to the General Fund.

The LFC budget recommendations for the PED in FY09 included a 2% salary increase; and, an additional 1% for a total of 3% for a certain category of employees, which included educational assistants.

**SIGNIFICANT ISSUES**

HB 558 sets a minimum salary of \$12,000 annually for educational assistants and establishes minimum salary pay according to educational requirements.

For the 2008-2009 school years, educational assistants who have a minimum of thirty hours approved academic credit will be given a pay increase to the minimum salary of \$12.69. If the employee holds an associate's degree or at least sixty hours approved academic credit, the minimum hourly wage will be \$16.91. If the employee holds a bachelors degree or at least ninety hours approved academic credit, the minimum hourly wage will be \$21.13.

At least fifteen hours of approved academic credits shall include courses similar to language arts, reading or language arts, or reading pedagogy; writing or writing pedagogy; mathematics or mathematics pedagogy; reading, writing and mathematics readiness; professional education, classroom management, teaching assistance or special education; and/or early childhood development. The PED will be expected to promulgate rules to implement the new provisions.

**PERFORMANCE IMPLICATIONS**

Teacher education programs at institutions in the state of New Mexico offer courses and programs for educational assistants to attain 2-year and 4-year degrees. According to the No Child Left Behind Act, in order for educational assistants to become highly qualified they must have in place an associate degree in a teacher education field of study.

**ADMINISTRATIVE IMPLICATIONS**

It is assumed that PED will administer the funds.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB 558 is a duplicate bill to SB 484

**TECHNICAL ISSUES**

NMHED notes that as "Public Education" has been stricken from the statute, yet "department" remains in the language, it may be unclear which department this legislation refers.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Employee's performing work as educational assistants will continue to operate under each school districts classification and pay system.

AHO/bb