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FISCAL IMPACT REPORT

ORIGINAL DATE 02/05/09
LAST UPDATED 03/09/09 **HB** 137/aHEC/aHAFC

SPONSOR Miera

SHORT TITLE Educational Assistant Minimum Salaries **SB** _____

ANALYST Hanika-Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$0.0		

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act for the PED

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

State Personnel Office (SPO)

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of HAFC Amendment

The House Appropriations and Finance Committee Amendment strikes the appropriation.

SIGNIFICANT ISSUES

The Legislative Education Sub Committee (LESC) reported that as introduced, HB 3 included sufficient funds in the appropriation to the State Equalization Guarantee (SEG) distribution “to increase the minimum annual salary for educational assistants to thirteen thousand dollars (\$13,000), contingent on the enactment of enabling legislation” by the Legislature.

Synopsis of HEC Amendment

The House Education Committee Amendment redirects the appropriation from the PED to the Public School Fund for distribution through the State Equalization Guarantee. Any unexpended or unencumbered balance remaining at the end of FY10 reverts to the General Fund.

SIGNIFICANT ISSUES

The LESC and Legislative Finance Committee staff concur that the appropriation is sufficient to implement a \$13 thousand minimum salary for educational assistants in FY10. Although NCLB increased the training requirements for educational assistants, salaries for these positions in the state have remained low.

Synopsis of Original Bill

House Bill 137 appropriates \$2.613 million from the General Fund to the Public Education Department to support the minimum annual salary level increases of licensed educational assistants from \$12 thousand to \$13 thousand effective in the 2009-2010 school years.

FISCAL IMPLICATIONS

The appropriation of \$2.613 million contained in this bill is a recurring expense to the General Fund. Any unexpended or unencumbered balance remaining at the end of FY10 shall revert to the General Fund.

The appropriation is included in the LFC budget recommendation for the department for FY10. Passing of this bill will require this amount of money to be included in the base for the State Equalization Guarantee appropriation each fiscal year.

HB 2, General Appropriations Act of 2008, provided \$3.3 million to fund an additional 1 percent salary increase for educational assistants.

SIGNIFICANT ISSUES

Statute provides that minimum salaries may be adjusted in accordance with appropriations in each school year as established by the secretary of public education.

DFA reports that the current minimum salary level for licensed educational assistants is below the federal poverty level which for a two person household in New Mexico is \$14 thousand. The bill raises the minimum level salary for a licensed educational assistant to \$13 thousand, still below the federal poverty level.

It is not known how many educational assistants currently fall below the revised minimum levels and be eligible for a salary increase.

PERFORMANCE IMPLICATIONS

The bill aligns to the Governor's Performance and Accountability Contract, Making Schools Work so that quality education is provided for all New Mexico students.

ADMINISTRATIVE IMPLICATIONS

The bill may support schools having a larger pool of long-term educational assistants.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to HB 18; school district clerk minimum salaries.

OTHER SUBSTANTIVE ISSUES

Educational assistants in public schools hold valid, educational assistants licensure issued by the PED.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

PED reports it will continue to be difficult to fill educational assistant positions due to the low salaries.

QUESTIONS

How have school districts implemented a career salary framework that supports the educational assistant licensure system?

AHO/svb:mc