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

Bill Number HB417 **Sponsor** Trujillo/Roybal Caballero/Gurrola/Chavez
Tracking Number .224565.3 **Committee Referrals** HEC/HAFC
Short Title Minimum Post-Secondary Compensation
Analyst Hoxie **Original Date** 3/3/2023
Last Updated _____

BILL SUMMARY

Synopsis of Bill

House Bill 417 (HB417) adds a new section of law to statutes governing public post-secondary educational institutions to define full-time and part-time faculty and sets minimum salaries for faculty. The full-time faculty minimum salaries are as follows:

- \$26 thousand for a single fall, spring, or summer contract;
- \$52 thousand for a nine-month contract; and
- \$78 thousand for a 12-month, or three-term contract.

HB417 prorates the salaries of part-time faculty based on the single term and nine-month rates for full-time faculty.

The bill has an effective date of July 1, 2023.

FISCAL IMPACT

The bill appropriates \$30 million from the general fund to Higher Education Department (HED) for expenditure in FY24. Any unexpended or unencumbered balance remaining at the end of FY24 shall revert to the general fund.

Eastern New Mexico University (ENMU) agency analysis estimates that the requirements established by HB417 would cost an additional \$2.5 million annually to the ENMU System.

New Mexico State University (NMSU) agency analysis estimates that the requirements established by HB417 would cost an additional \$7.1 million to NMSU.

The total fiscal implications for the Northern New Mexico College (NNMC) are projected at \$45.5 thousand for full-time full year and nine-month contracts, and \$720.8 thousand for part-time instructors/adjuncts single-term.

SUBSTANTIVE ISSUES

Determining Faculty Compensation. HB417 establishes minimum salaries for full-time and part-time faculty, but current practice allows a public post-secondary educational institution to establish salaries. As noted in the HED agency analysis, per statute, governing board of regents or trustees are appointed at all public postsecondary institutions to exercise ultimate authority in the management and control of the institution. Responsibilities of regents include establishing policies and procedures that govern and fulfill the means to support missions and objectives of each respective institution, including approval of curriculums and establishing compensation of employees.

Part-Time and Full-Time Faculty. HB417 defines both part-time and full-time faculty to include adjunct professors, instructors, professors, lecturers, clinician-educators, and term teachers. The bill also sets minimum salary requirements for faculty positions. According to publicly available [salary report data](#) published online by the University of New Mexico (UNM), salary averages for faculty addressed in HB417 are as follows:

- Professors annual salaries range from \$104 thousand on average to \$156 thousand on average depending on the category of professor;
- Lecturers annual salaries range from \$39 thousand on average to \$96 thousand on average with a minimum listed salary of \$13 thousand depending on the category of lecturer;
- Term teaching faculty have an average annual salary of \$29.7 thousand with a salary range of \$17.8 thousand to \$54.5 thousand.
- Instructors, categorized as visiting instructors in the UNM salary book, have an average annual salary of \$74.8 thousand with an annual salary range of \$30 thousand to \$170 thousand.
- Clinician-educators and instructors are not a job title category listed on the UNM salary book.

HB417 would establish minimum salaries depending on length of contract for all full-time and part-time faculty positions.

ADMINISTRATIVE IMPLICATIONS

HED will administer these funds involving receipt, disbursement, and tracking to public postsecondary institutions. HED believes these additional functions and duties will likely increase their administrative costs, but further review would be needed to understand the full financial impact of HB417.

NNMC notes that some faculty positions may have collective bargaining agreements that may need to be amended to meet base salary requirements.

SOURCES OF INFORMATION

- LESC Files
- Northern New Mexico College (NNMC)
- New Mexico State University (NMSU)
- Eastern New Mexico University (ENMU)
- Higher Education Department (HED)