

LFC Requester: _____

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 1/16/2024

Bill No: HB39

Sponsor: Yanira Gurrola
Short Title: Appropriations Made to Comply with Martinez/Yazzie

Agency Name and Code Number:

New Mexico State University/954

Person Writing

Clayton Abbey

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
N/A	\$27,552,700	Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HB39 proposes numerous appropriations in FY25 and subsequent fiscal years to New Mexico higher education institutions, Tribal Colleges, and the NMPED to fund compliance with the decisions outlined in the Martinez-Yazzie Decision. Section One appropriations focus on educator workforce and school leadership development. Section Two appropriations focus on culturally responsive health and wellness. Section Three appropriations focus on culturally sustaining frameworks. Section Four appropriations focus on indigenous college access initiatives. Each section of the bill proposes “expenditures in fiscal year 2025 and subsequent fiscal years,” which suggest that these funds would be recurring.

FISCAL IMPLICATIONS

New Mexico IHEs will be impacted because of the funds that are appropriated with the intention of providing institutions with opportunities and resources to create programs and pathways which can address the educational deficiencies outlined in Martinez/Yazzie.

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

New Mexico IHEs would benefit from increased funds to elevate services and programming to address key Martinez/Yazzie components. In terms of true service to Native American students and communities, some IHEs are lacking in the number of Native American faculty and could benefit from faculty lines to create a culturally and linguistically responsive critical mass of faculty for future teachers and administrators who will serve in Native American schools and communities. While these proposed appropriations are a positive step, true cultural and linguistic representation for Native American students could be achieved by increasing the number of Native American faculty and staff on our campuses.

ADMINISTRATIVE IMPLICATIONS

The administrative impact could be significant for higher education institutions at both the department levels as well as the college levels. The administrative oversight of these funds

would need to be coordinated by the impacted colleges because many of the appropriations cross departmental lines and will require administrative supervision of funds and resources because they involve programs and units across multiple disciplines. Clear reporting lines and supervisory roles will need to be established in order to efficiently coordinate the use of these funds as well as the monitoring of success with the programs that are leveraged.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

Two key alternatives appear to stand out. First, greater flexibility for the individual IHEs receiving appropriations could allow them to use the funds in the most streamlined and efficient manner possible. This flexibility could be achieved by inserting qualifying key words such as “for instance, including, such as, for example,” etc. when specific programs and initiatives are mentioned in the bill. Second, the state of New Mexico would benefit greatly from a commitment of a portion of the funds to create Native American faculty lines across the IHEs.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Not enacting the bill would prolong a lack of funding to address the Martinez/Yazzie Decision.

AMENDMENTS

N/A