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FISCAL IMPACT REPORT

ORIGINAL DATE 1/26/09

SPONSOR Pinto LAST UPDATED _____ HB _____

SHORT TITLE Navajo Nation Counseling Services SB 195

ANALYST Peery-Galon

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$43.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children, Youth and Families Department (CYFD)

Indian Affairs Department (IAD)

SUMMARY

Synopsis of Bill

Senate Bill 195 appropriates \$43.0 from the general fund to the Children, Youth and Families Department for counseling services for women and families who are low-income or who are victims of domestic violence in New Mexico communities of the Navajo Nation through the Navajo Nation's office of women and families.

FISCAL IMPLICATIONS

The appropriation of \$43.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2010 shall revert to the general fund.

According to the December 2008 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$293 million, or 2.6 percent, less than the FY09 appropriation. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

SIGNIFICANT ISSUES

CYFD reported that according to the National Violence Against Women Survey, 37.5 percent of Native American women are victimized by intimate partner violence in a lifetime. Native American women are victimized at a much higher rate than other ethnicities. Women in low-income situations are particularly vulnerable, as they are often dependent on their partner for support.

IAD reported the proposed legislation was endorsed by the Interim Indian Affairs Committee on December 17, 2008.

IAD reported the Navajo Nation's Office for Women and Families provides counseling and referral services for women and children who experience domestic violence on the Navajo Nation. Counselors provide case management services and accompany victims to the trial to provide moral support. The Office for Women and Families will refer victims to shelter and longer-term services and coordinates transportation for the families with the Navajo Nation Division of Social Services. The funding from the proposed legislation would be used to provide domestic violence counseling for victims who are seeking protection orders against their assailants.

PERFORMANCE IMPLICATIONS

CYFD reported it has performance measures related to the number of adult victims of domestic violence who participate in services.

ADMINISTRATIVE IMPLICATIONS

CYFD noted the proposed legislation would require contract administration from within the department's existing resources.

OTHER SUBSTANTIVE ISSUES

CYFD noted the proposed legislation implies establishment of a government-to-government agreement which is exempt from the State procurement process.

IAD noted a report from the U.S. Department of Justice (DOJ) showed that Native Americans, in general, are at greater risk of violent victimization than Americans of other races. A study by the Bureau of Justice Statistics found the rate of violent victimization for Native Americans age 12 and older was more than twice the national rate. "A Maze of Injustice" report by Amnesty International cites DOJ statistics showing Native American and Alaska Native women are approximately two and a half times more likely to be raped or sexually assaulted than other women in the United States. The report stated once in three, or 34.1 percent, Native American women will be raped during their lifetime compared to one in five for the general United States female population. IAD reported the statistics may not show the full extent of violence against Native American women. The DOJ estimates that over 70 percent of sexual assaults against Native American women are never reported.