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## FISCAL IMPACT REPORT

SPONSOR: Madalena DATE TYPED: 02/15/01 HB 423  
 SHORT TITLE: Use of Zia Symbol SB \_\_\_\_\_  
 ANALYST: Woodlee

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 50.0			Non-Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Attorney General  
Office of Indian Affairs

### SUMMARY

#### Synopsis of Bill

House Bill 423 appropriates \$50.0 from the general fund to the New Mexico Office of Indian Affairs for the purpose of facilitating a process between the Pueblo of Zia and a negotiating team to determine how the pueblo shall be compensated for use of its sacred sun symbol since 1925.

#### Significant Issues

The bill specifies that a six-member negotiating team will be responsible for working out the details. The negotiating team will be appointed by the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. Each will have two appointments. In addition, the bill provides that the team shall negotiate the appropriate wording for an acknowledgment and apology from the state for the unauthorized use of the Zia sun symbol. Also, the team will negotiate an authorized and just compensation to the pueblo for a license for the future use of the sacred Zia sun symbol. According to the Attorney General's office, there may be a possibility of future litigation if the state acknowledges fault or apologizes.

### FISCAL IMPLICATIONS

The appropriation of \$50.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

MW/njw