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FISCAL IMPACT REPORT

SPONSOR Madalena ORIGINAL DATE 1-30-06
LAST UPDATED _____ HB 425
SHORT TITLE NATIVE AMERICAN VOTER EDUCATION SB _____
ANALYST Hadwiger

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
\$150.0		Non-Rec	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Secretary of State (SOS)

Department of Finance and Administration (DFA)

Department of Indian Affairs (DIA)

SUMMARY

Synopsis of Bill

House Bill 425 appropriates \$150 thousand from the general fund to the Local Government Division (LGD) of the Department of Finance and Administration (DFA) for expenditure in FY06 and FY07 to assist county clerks in efforts to provide voter education to Native Americans in Bernalillo, Cibola, McKinley, Otero, Rio Arriba, San Juan, Sandoval, Santa Fe, Socorro, Taos and Valencia counties.

FISCAL IMPLICATIONS

The appropriation of \$150 thousand contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY07 would revert to the general fund.

SIGNIFICANT ISSUES

The Department of Indian Affairs (DIA) noted that, according to the Secretary of State, there

were 57,228 registered Native American voters in New Mexico as of November, 2004, representing a small percentage of Native Americans eligible to vote in New Mexico.

According to the 2000 U.S. Census, there are about 200,000 Native Americans in New Mexico. DIA noted that, although the numbers of Native American voters may have increased during the last presidential election, there is still a large population of New Mexican Native Americans that do not vote. In the past, language barriers and other significant problems have deterred eligible Native Americans from participating in the voting process. HB425 would address the important need to educate, coordinate and allow tribal governments and tribal communities to play a vital role in increasing the numbers of New Mexican Native American voters.

DFA indicated that, starting in 1978, the Office of the Secretary of State in New Mexico established a program to assist Native Americans in the electoral process. Native American interpreters were hired to translate state election documents in various NM tribal language dialects. These interpreters also informed tribal members about voter information and candidate requirements needed during an election. This is a state level program; HB 425 provides funding at the local level where the counties have been absorbing the expense of voter education. The funds would be utilized at the local level for fliers, radio and TV time to inform and educate the Native American population in the eleven counties identified in HB 425.

DFA added that In 1988, the Department of Justice, took legal action in New Mexico to extend greater election information to Native Americans based on the minority language assistance amendments to the Federal Voting Rights Act of 1965. As a result, the Native American Election Information Program was established in the Office of the Secretary of State, within the Bureau of Elections, to assist in developing voter education projects for 11 New Mexico counties with substantial Native American populations: Bernalillo, Cibola, McKinley, Otero, Rio Arriba, Sandoval, San Juan, Santa Fe, Socorro, Taos, and Valencia. Over the years, Native American Education Information Program (NAEIP) has served New Mexico tribes and its tribal members.

ADMINISTRATIVE IMPLICATIONS

LGD/DFA would enter in grant agreements with the identified entities to administer these funds.

TECHNICAL ISSUES

The entities that administer these funds should coordinate their efforts with existing statewide efforts.

DFA notes that it is not clear how the funds should be allocated among the affected entities.

DH/nt