

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: SB 322

48th Legislature, 2nd Session, 2008

Short Title: Athletic Activity Trophy & Printing Costs

Sponsor(s): Senators Cynthia Nava, Mary Jane M. Garcia, and Mary Kay Papen

Analyst: David Harrell

Date: January 31, 2008

Bill Summary:

SB 322 appropriates funds to the Public Education Department (PED) to defray costs incurred by the New Mexico Activities Association (NMAA) for printing and trophies related to athletics and other activities.

Fiscal Impact:

\$50,000 is appropriated from the General Fund for FY 09. The bill contains a reversion clause.

As noted below, four other bills introduced during the 2008 session appropriate funds apparently for the same purpose as SB 322.

Bill	Sponsor	Amount	Recipient
HB 234a	Gardner	\$50,000	PED
HB 422	King	\$10,000	DFA
HB 540	Foley	\$10,000	PED
CS/SB 165	Smith	\$13,400	“a statewide activities association”

Issues:

The NMAA explains that, in the past, it has used its own resources to pay the costs that the appropriation in SB 322 would pay. With this appropriation, however, NMAA would be able to devote its other resources to a variety of other purposes: pre-season meetings with parents, for example, as well as professional development for coaches.

The NMAA is financed by member dues, tournament revenues, and corporate sponsorships. According to the NMAA, these corporate sponsors provide support in a variety of ways – sometimes in-kind services, sometimes cash, and sometimes covering the costs associated with specific events, like the First Community Bank 2007 Football State Championships. In addition, the New Mexico Activities Association Foundation was established in 2007 as a nonprofit 501 c 3 organization that awards scholarships and grants to participants in interscholastic sports and other school activities. The primary mission of the foundation is to raise funds for these uses.

According to its website, the NMAA is a member-led organization that provides leadership in interscholastic athletics and activities. It was formed in 1921 as a private/nonprofit organization whose main purpose is the regulation, direction, administration, and supervision of interscholastic activities in New Mexico. Its members comprise public, private, and parochial middle/junior high and senior high schools that pay annual membership dues. The NMAA is administered by a board of 13 voting members, some elected, some appointed.

The *Public School Code* requires PED to approve or disapprove all rules promulgated by an association or organization, like the NMAA, that regulates a public school activity and to require such an association to comply with the *Open Meetings Act* and the *Public Records Act*.

Finally, in its original form, HB 234 was identical to SB 322; however, the House Education Committee amended the bill to strike the references to the NMAA.

Related Bills:

HB 234a *New Mexico Activities Association Programs*

HB 422 *School Activity Trophies & Medals*

HB 540 *State Championship Events Trophies & Medals*

CS/SB 165 *State Agency Expenditures*