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FISCAL IMPACT REPORT

SPONSOR Madalena ORIGINAL DATE 1/28/10
LAST UPDATED _____ HJM 20
SHORT TITLE Native American Voting Rights SB _____
ANALYST Baca

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

House Joint Memorial 20 recall the history of voting rights issues that Native American Nations, Pueblos and Tribes have weathered in New Mexico and urges county governments to ensure that they comply with federal laws regarding Native American voting rights.

FISCAL IMPLICATIONS

HJM 20 has no fiscal impact. It relies on county governments to comply with the request and it appears local governments can carry the request using existing resources.

SIGNIFICANT ISSUES

The Voting Rights Act of 1965, signed by President Lyndon B. Johnson, prohibited "denial or abridgment" of the right to vote by, for example, turning eligible voters away from the polls, charging a poll tax or requiring a constitutional literacy test of minority voters.

The 1965 act follows the language of the fifteenth amendment to the United States Constitution, which was adopted just after the Civil War and contains special enforcement provisions targeted at those areas of the country where congress believed the potential for discrimination was greatest.

Since 1975, various New Mexico counties have remained within the federal monitoring system for Native American voting rights violations. HJM 20 cites various court rulings and identifies counties in New Mexico that have been found in non-compliance with federal law and court rulings. HJM notes that under the Voting Rights Act Amendments of 1982, the counties of Sandoval, Bernalillo, Cibola, McKinley and

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Socorro were identified for federal monitoring from July 1982 through 2004 for redistricting plans, precinct boundaries and polling places in Indian country. Certain tribes and pueblos still face barriers to voting from county commissions, which have continued to read New Mexico law narrowly and to enforce agreements loosely. Therefore it is deemed necessary that the New Mexico State Legislature urge county governments to remove all barriers and encourage all Native Americans to vote.

LRB\mt