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### FISCAL IMPACT REPORT

SPONSOR:	Aragon	DATE TYPED:	01/28/00	HB	
SHORT TITLE:	Fund the Office of African American Affairs			SB	179
				ANALYST:	Kehoe

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
	\$ 250.0			Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Senate Bill 2 and House Bill 2

### SOURCES OF INFORMATION

LFC Files

## SUMMARY

### Synopsis of Bill

Senate Bill 179 appropriates \$250.0 from the general fund to the Office of African American Affairs to provide for operational and program funding for that office.

### Significant Issues

The Office of African-American Affairs was established pursuant to the African-American Affairs Act, Sections 28-21-1 to 28-21-4 NMSA 1978, effective July 1, 2000. The purpose of the office is, in cooperation with the Martin Luther King, Jr. Commission, to study, identify and recommend solutions to issues of concern relevant to African-Americans (AA); ensure recognition of the accomplishments and contributions made by African-Americans; and act as an advocate of African-American citizens of New Mexico. The issues will include, but not be limited to, health, economy, education, crime and housing.

According to the New Mexico Chapter of the NAACP, African Americans are 2.5 percent (38,392) of New Mexico's population. The following statistics are significant to the lives of African-American children and families in New Mexico:

- •27.3% of AA will live below the poverty line;
- •13% of AA children will end up in foster care;
- •43.6% of AA youth will drop out of school;
- •25% of AA males will be incarcerated;
- •11% of AA youth will be placed on probation and referred to the juvenile justice system;
- •AA teen pregnancy rate is 18.4 percent, and the abortion rate is 23.5%;
- •HIV for AA women was 14 per 100,000 of New Mexico's population in 1996;
- •Chlamydia and other sexual transmitted diseases rose from 20 to 108 among AA males during 1995, with the highest being in Bernalillo County.

## **FISCAL IMPLICATIONS**

Senate Bill 179 appropriates \$250.0 from the General Fund. The LFC recommendation reflected in House Bill 2 and Senate Bill 2 also includes \$250.0 from the General Fund.

The Executive's FY2001 budget recommendation does not include funding for the newly created Office of African American Affairs. The Executive recommends that the new agency "actively pursue funding, other than the General Fund, to support its mission and carry out the powers and duties detailed in the Agency's enabling statute."

## **ADMINISTRATIVE IMPLICATIONS**

Without start-up funding, there is no staff to implement the Executive's direction to seek funding sources other than the General Fund to carry out the statutory mandates of the office. The Executive's recommendation does not indicate by whom or how other funds should be pursued.

## **CONFLICT/DUPLICATION/COMPANIONSHIP/RELATIONSHIP**

The appropriation recommended in Senate Bill 179 for FY01 would provide program and operational funding for the new agency, and is the same funding level currently under consideration by the 2000 Legislature in both House Bill 2 and Senate Bill 2.

## **POSSIBLE QUESTIONS**

1. Similar statutorily-created agencies provide for a commission to assist in developing a strategic plan, administrative policies, and oversight for implementation of the agencies statutory mandates. Should the African-American Affairs Act include such a provision?
2. Inasmuch as the legislature passed, and the governor signed the enabling legislation, what is the state's

legal responsibility for allowing unofficial entities to collect funds on behalf of a state agency?

LMK/gm