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FISCAL IMPACT REPORT

SPONSOR Aragon DATE TYPED 2/4/04 HB _____

SHORT TITLE Hispanic Affairs Act SB 328

ANALYST Johnson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$250.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY04	FY05			
	\$250.0		Recurring	New Fund

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Office of Cultural Affairs
Commission on the Status of Women

SUMMARY

Synopsis of Bill

Senate Bill 328 appropriates \$250,000 from the general fund to Office of Hispanic Affairs which is administratively attached to the Human Services Department.

Significant Issues

The bill establishes the Office of Hispanic Affairs as a clearinghouse to provide information to

Hispanics throughout New Mexico regarding issues of concern to the Hispanic community as well as serve as a promoter of Hispanic culture and history. The Office would study socio-economic and other issues of concern to Hispanics, assist public and private entities dealing with these issues, encourage political participation by Hispanics, promote educational opportunities and act as an advocate on behalf of Hispanics in New Mexico.

FISCAL IMPLICATIONS

The appropriation of \$250.0 contained in this bill is a recurring expense to the general fund. The bill appropriates \$250.0 in fiscal year 2005 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of fiscal year 2005 shall not revert to the general fund. The bill creates the "Office of Hispanic Affairs Fund" in the state treasury and any appropriations, gifts, grants, donations or bequests in the fund shall not revert.

Continuing Appropriations

This bill creates a new fund and provides for continuing appropriations. The LFC objects to including continuing appropriation language in the statutory provisions for newly created funds. Earmarking reduces the ability of the legislature to establish spending priorities.

ADMINISTRATIVE IMPLICATIONS

The office of cultural affairs provided the following:

As many of the elements envisioned in the bill are located throughout multiple Executive agencies, there may be some disruption of existing services being provided while necessary transition takes place. Any transition may also result in discontinuation of some services as priorities become more focused as well as the incorporation of additional duties.

OTHER SUBSTANTIVE ISSUES

During the 2003 Legislative Session, a bill (HB 108) was introduced creating an Office of Mexican Affairs. While not as broad in intent, (focusing specifically on the relationship with Mexico) this bill clearly reflected a goal of establishing a clearinghouse for several of the needs reflected in the current bill.

The Commission on the Status of Women provided the following:

The U.S. Census Bureau 2000 report indicates that Hispanics make up 42.1% of the total population in New Mexico. This is greater than the national average of 12.5%. At current, the largest minority population of our state has no representation in the form of a commission for their affairs in our state whereas smaller minority groups have already established offices with state government to address their issues. (e.g. Office of African American Affairs for a population percentage of 1.9% and Office of Indian Affairs for a population of 9.5%)

CJJ/yr:njw