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## FISCAL IMPACT REPORT

SPONSOR Pinto ORIGINAL DATE 02/04/14  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_  
SHORT TITLE Tribal College Lottery Exclusion SM 23  
ANALYST Hartzler-Toon

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY14	FY15	FY16	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		\$1.5		\$1.5		

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act: Section 4J Higher Education Department, Student Financial Aid

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Bill

Senate Memorial 23 would require the Higher Education Department (HED)

- (1) examine laws and regulations governing the state's higher education policies and programs, including the legislative lottery scholarship program (LLSP);
- (2) identify those areas where tribal colleges are excluded;
- (3) draft a report with findings and recommendations to address whether and how tribal colleges shall be included in programs and policies, including LLSP;
- (4) make the report available for public comment, particularly by Indian nations, tribes, and pueblos; and
- (5) issue a final report, delivered to the Legislature's interim Indian Affairs Committee and Legislative Education Study Committee, with recommendations to the Legislature and state agencies on including tribal colleges in programs, including LLSP.

### FISCAL IMPLICATIONS

The memorial does not contain an appropriation. LFC staff estimate the responsibilities associated with producing such a report, collecting comments, and reporting the information to

the Legislature and its committees may result in a modest financial impact on agency operations.

**SIGNIFICANT ISSUES**

Four tribally-controlled or federally-operated tribal colleges (tribal colleges) serve New Mexicans and primarily Native American/American Indian students: Dine College, Navajo Technical College, Southwestern Indian Polytechnic Institute, and the Institute of American Indian Arts. These institutions have statutory access to state budgetary processes and funds: capital outlay, operational funding, severance tax bond funding, and some grant programs. However, these institutions or their students do not have the same access to all programs and funding available state post-secondary institutions and their students.

This memorial would require an analysis of programs and policies, identify areas where these institutions/students experience different treatment, and offer recommendations for including tribal colleges in state programs. The memorial expressly requires HED to evaluate how tribal colleges and their students can access LLSP.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Tribal colleges and their students will continue to have access to state-funded programs on an ad hoc basis.

THT/jl