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FISCAL IMPACT REPORT

ORIGINAL DATE 1/24/22

SPONSOR Lente LAST UPDATED _____ HB 61

SHORT TITLE Tribal Agreements with Early Childhood Dept. SB _____

ANALYST Klundt

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY22	FY23	FY24	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$89.0	\$89.0	\$178.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to House Bill 118

SOURCES OF INFORMATION

LFC Files

Responses Received From

Early Childhood Education and Care Department (ECECD)

Indian Affairs Department (IAD)

SUMMARY

Synopsis of Bill

House Bill 61 (HB61) amends Section 9-29-8 NMSA 1978 to add a duty to ECECD to enter into joint power agreements with tribal governments (at their request) to plan, conduct, and administer one or more early childhood education and care programs, including programs such as those listed in Paragraph (1) of Subsection B of this section, with the Indian nation, tribe, or pueblo using its own culturally and linguistically relevant standards, assessments, and evaluations.

FISCAL IMPLICATIONS

ECECD reported the department would incur administrative costs associated with executing joint powers agreements and the department estimates the annual additional operating impact as \$89 thousand and one FTE. Funding and the additional FTE estimated by ECECD is not currently included in House Bill .2

SIGNIFICANT ISSUES

ECECD stated, “The intent of the legislation is to ensure that New Mexico’s sovereign tribes, pueblos, and nations have equal opportunity to avail themselves of the programs and services that ECECD administers. These programs and services are generally not available to New Mexico’s tribal communities due to jurisdictional constraints.”

IAD reported, “In prior years, the Tribes’ Early Childhood programs sought their own funding for their programs. In 2019, the HB250 Native American Student Needs Assessment addressed a statewide accountability tool, and HB250 was chaptered. At the same time in 2019, the ECECD was created through legislation. From these chaptered bills, the ECECD Assistant Secretary was established. The ECECD Assistant Secretary now coordinates bi-weekly to monthly updates to the 23 Tribes, Pueblos, and Nations.”

The LFC and executive recommendation includes \$1.4 million from the early childhood education and care fund for tribal early childhood services,

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