

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING THE USE OF AMERICAN INDIAN MASCOTS BY PUBLIC INSTITUTIONS OF EDUCATION.

Prime Sponsors: Reps. Salazar and Melton  
Senator Ulibarri

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**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/02/15.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

**Amendments in This Packet for Consideration by Appropriations Committee**

<b>Amendment</b>	<b>Description</b>
J.001	Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill requires but does not contain an appropriation clause.

**Description of Amendments in This Packet**

**J.001** Staff has prepared amendment **J.001** (attached) to add a provision appropriating a total of \$200,000 General Fund to the newly created American Indian Mascot Fund and \$200,000 reappropriated funds from the new cash fund to the Office of the Governor for FY 2014-15.

**Points to Consider**

*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2015-16 based on the March 2015 Legislative Council Staff revenue forecast. The budget package allocates a total of \$18.5 million General Fund to be available to fund 2015 legislation. If the full \$18.5 million is not used to fund legislation, it will remain in the General Fund reserve. The budget package includes an assumption that \$38.4 million in excess of the statutory reserve will be rolled forward from FY 2014-15 for appropriation in FY 2015-16. The \$200,000 General Fund appropriation required by this bill

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## JBC Staff Analysis

in FY 2014-15 will reduce the General Fund available for appropriation in FY 2015-16 by the same amount.

### *Technical Issues*

1. As indicated in the Legislative Council Staff Fiscal Note, the bill requires that \$200,000 General Fund be appropriated to the American Indian Mascot Fund in FY 2014-15 (p. 6, lines 10-12). However, the bill's effective date is September 1, 2015 (after the end of FY 2014-15).
2. The bill specifies that amounts in the American Indian Mascot Fund are subject to annual appropriation. Will the full \$200,000 General Fund appropriated to the Fund be fully expended in FY 2014-15 as reflected in the Fiscal Note? If not, should some or all of this amount be appropriated for use in FY 2015-16?
3. The bill creates the new American Indian Mascot Fund, which would consist of General Fund appropriated by the General Assembly and any gifts, grants, and donations that the subcommittee accepts. Moneys in the Fund are subject to annual appropriation. **Is it necessary to appropriate General Fund into a new cash fund, rather than appropriating General Fund directly to Office of the Governor?** Is it likely that any gifts, grants, and donations will be received for this program?