

LFC Requester:	Jorgensen
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**AGENCY BILL ANALYSIS
2023 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment _____
Correction _____ Substitute _____

Date Prepared: 02/02/23
Bill No: [HB280](#)

Sponsor: Lente
Short Title: AMERICAN INDIAN EDUCATION TECHNICAL

Agency Name and Code Number: PED - 924
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
None	\$2,250.00	None	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	N/A	N/A	NFA

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 280 (HB280) would establish two American Indian education technical assistance centers to provide technical assistance and support for Tribal Education Departments and tribal communities with a focus on American Indian students' education and success,

working in partnership with the Higher Education Department (HED), the Public Education Department (PED), and the Early Childhood Education and Care Department (ECECD).

FISCAL IMPLICATIONS

HB280 would appropriate \$2.25 million from the general fund to HED to expend in FY24 and subsequent fiscal years to establish American Indian education technical assistance centers, pay for staff, and operational expenses. The bill would require any unexpended or unencumbered balance remaining at the end of a fiscal year to not revert to the general fund.

SIGNIFICANT ISSUES

The bill, which notes the two American Indian education assistance centers would be in geographically distinct regions of the state, would require the centers to serve all American Indian students and federally recognized Indian Nations, Tribes, and Pueblos located wholly or partially in New Mexico. HED would be required to seek tribal input and feedback from PED for the preparation of a request for proposals to operate a center and provide the services specified in the request for proposals.

HED requests for proposals would be required to prioritize applications from tribal colleges and universities in New Mexico, American Indian programs at New Mexico public higher education institutions and tribally controlled institutions and entities with demonstrated experience and knowledge of working with American Indian students and federally recognized Indian nations, tribes and pueblos located wholly or partially in New Mexico.

The TA Centers are intended to help enhance and support Indian education efforts by the state, including the goals of improving Native American student outcomes.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

PED would be required to collaborate with HED, ECECD, and other state agencies on tribally related programs to help agencies with outreach, recommendations, and participate in funding applications to support the technical assistance centers and other statewide indigenous education efforts.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to:

[HB140, Tribal Education Trust Fund](#), which proposes to appropriate \$50 million from the public education reform fund to create a tribal education trust fund that will make annual distributions to PED for allocation to each New Mexico tribe.

[HB147, Indian Education Fund Distributions](#), which would allocate 50 percent of funding from the Indian Education Fund based on weighted formula, with 90 percent of the allocation going to each tribe equally, with the remaining 10 percent divided among the tribes proportionally by Native American students served by each tribe.

[HB148, Early Childhood Dept. Tribal Agreements](#), which proposes to require ECECD, at the request of a tribal community, enter into intergovernmental agreements to plan, conduct, and disperse funding and administer ECECD programs using the tribal community's culturally and linguistically relevant standards, assessments, and evaluations.

[HB149, Public Ed Dept. Native American Funding](#), which would require PED to request an appropriation as part of its annual operating budget submission equal to 40 percent of the 1.25

percent land grant permanent fund distribution to public schools, multiplied by the proportion of Native American students to the total public school student population.

[HB198, Career Tech Funds for Indian Ed Schools](#), which would allow federal Bureau of Indian Education secondary schools to apply for and receive grant funding from the career technical education pilot project.

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

N/A

AMENDMENTS

N/A