

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-3261/1	Introduction Number AB-564
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Subject
 Indian mascots, lakes, and streams

Fiscal Effect

State:

- | | | |
|--|--|---|
| <input type="checkbox"/> No State Fiscal Effect
<input checked="" type="checkbox"/> Indeterminate
<input type="checkbox"/> Increase Existing Appropriations
<input type="checkbox"/> Decrease Existing Appropriations
<input type="checkbox"/> Create New Appropriations | <input type="checkbox"/> Increase Existing Revenues
<input type="checkbox"/> Decrease Existing Revenues | <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Decrease Costs |
|--|--|---|

Local:

- | | | |
|--|--|--|
| <input type="checkbox"/> No Local Government Costs
<input checked="" type="checkbox"/> Indeterminate
1. <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Government Units Affected
<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities
<input type="checkbox"/> Counties <input type="checkbox"/> Others
<input checked="" type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
|--|--|--|

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR FED PRO PRS SEG SEGS

Agency/Prepared By DPI/ Michael TeRonde (608) 266-5186	Authorized Signature Michael Bormett (608) 266-2804	Date 7/26/2005
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Fiscal Estimate Narratives

DPI 7/27/2005

LRB Number	05-3261/1	Introduction Number	AB-564	Estimate Type	Original
Subject					
Indian mascots, lakes, and streams					

Assumptions Used in Arriving at Fiscal Estimate

This bill provides that a school district resident may object to a school board's use of an ethnic name, nickname, logo or mascot by filing a complaint with the state superintendent of public instruction (state superintendent). The state superintendent must schedule a hearing on the complaint at which the school board has the burden of proving by clear and convincing evidence that the use of the ethnic name, nickname, logo or mascot does not promote discrimination, pupil harassment, or stereotyping. If the state superintendent finds in favor of the complainant, the state superintendent must order the school board to terminate its use of the ethnic name, nickname, logo or mascot within 12 months after issuance of the order. A school board is subject to a forfeiture of not less than \$100 nor more than \$1,000 for each day that it uses the ethnic name, nickname, logo or mascot in violation of the order. The decision of the state superintendent is subject to circuit court review.

Local:

There are approximately 40 schools in the state that currently use American Indian names, nicknames, logos or mascots. If required to terminate the use of the ethnic name, nickname, logo or mascot, costs to a school district would be related to the replacement of existing supplies, team uniforms and associated inventory that currently bear the name, nickname, logo or mascot and would vary from district to district. Because it is unknown how many, if any, residents of these districts will file complaints, and how many hearings in which the state superintendent will find for the complainant, local costs are indeterminate.

It is also unknown how many, if any, school districts will not terminate the use of an ethnic name, nickname, logo or mascot if ordered to do so. These districts would be subject to a \$100 to \$1,000 forfeiture for each day that they did not comply with the order to terminate. Because it is unknown how many days the forfeiture would be imposed, and because the forfeiture may be anywhere between \$100 and \$1,000, local costs related to this provision of the bill are indeterminate.

State:

Costs to the department are related to the number of appeals brought before the state superintendent. Because it is unknown how many, if any, appeals would be made, these costs are indeterminate.

Long-Range Fiscal Implications