

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website ([www.nmlegis.gov](http://www.nmlegis.gov)) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

<b>SPONSOR</b>	<u>Pinto/Shendo</u>	<b>ORIGINAL DATE</b>	02/16/17	
		<b>LAST UPDATED</b>	03/13/17	<b>HB</b>
<b>SHORT TITLE</b>	<u>Support for Standing Rock Sioux Tribe</u>			<u>20/aSRC/aSIAC</u>
				<b>SJM</b> <u>/aHSIVC</u>
		<b>ANALYST</b>	<u>Boerner</u>	

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

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		NFI	NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Indian Affairs Department (IAD)

### SUMMARY

#### Synopsis of HSIVC Amendment

The House State Government, Indian and Veterans’ Affairs Committee amendment amends page three line 17 to read:

WHEREAS, the United States army corps of engineers and other authorities with the permitting authority for the Dakota access pipeline have failed to provide meaningful consultation to the Standing Rock Sioux Tribe and other tribes in considering the impacts on the Standing Rock Sioux Tribe reservation and its people, which is a violation of environmental ~~justice~~ assessment requirements and consultation requirements set forth in federal law;

#### Synopsis of SIAC Amendment

The Senate Indian and Cultural Affairs Committee makes grammatical corrections and deletes another reference to “Trump” and replaces it with “federal”.

Synopsis of SRC Amendment

The Senate Rules Committee amends page three to read:

“NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that New Mexico's twenty-three Native American nations, tribes and pueblos hereby support the Standing Rock Sioux Tribe in protection of their sacred lands and burial grounds and ~~respectfully request~~ who are requesting the prosecution of those who have ~~illegally~~ desecrated the sacred ancestral sites in the area; and...”

Additionally, the SRC amends page four to strike the direct reference to President Trump and instead refers to the federal administration.

Synopsis of Original Bill

The memorial seeks to recognize the opposition of all twenty-three Indian nations, tribes and pueblos in New Mexico, as well as Ysleta del Sur in Texas, to the completion of an oil pipeline in North Dakota/known as the Dakota Access Pipeline-- near the Standing Rock Sioux Tribe's current reservation boundaries, the final remaining portion of the pipeline to be built. The memorial serves to promote solidarity among the New Mexico nations, tribes and pueblos with respect to issues of tribal sovereignty, water rights and treaty rights.

In the memorial, the New Mexico nations, tribes and pueblos call upon the executive branch of the United States government to halt the completion of the Dakota Access Pipeline indefinitely as well as to address perceived current and future conflicts regarding government-to-government consultation on infrastructure projects that might affect tribes nationwide.

Copies of the memorial are to be sent to the President of the United States, the New Mexico Congressional Delegation, New Mexico's Native American Nation's, Tribes and Pueblos and the Standing Rock Sioux Tribe.

**FISCAL IMPLICATIONS**

None noted.

**SIGNIFICANT ISSUES**

As reported by major news organizations (see for example, <http://www.bbc.com/news/world-us-canada-37863955>), within days of taking office the new federal administration signed two presidential memoranda supporting both the Dakota and the Keystone XL pipelines.

The Dakota Access Pipeline is a \$3.7 billion pipeline nearly 1,200 miles long designed to transport an estimated 470 thousand barrels of crude oil a day across four states, from North Dakota to a terminal in Illinois, where it can be shipped to refineries. The pipeline, built by a subsidiary of Texas-based company Energy Transfer Partners (ETP), is intended to provide a more cost-effective, efficient means of transporting crude, rather than shipping barrels by train. The project could also increase profit margins for oil companies while crude prices are low. Most of the pipeline has already been built, but the section closest to the Standing Rock Sioux reservation was still awaiting federal approval.

**Senate Joint Memorial 20/aSRC/aSIAC– Page 3**

The decision to suspend the project came after months of protests by the Standing Rock Sioux Tribe and their supporters. They had argued the project would contaminate drinking water, damage sacred burial sites, and that the government approved the pipeline construction without consulting them, a requirement under US law.

CB/al/sb/jle