

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) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

ORIGINAL DATE 1/25/17
 SPONSOR Rue LAST UPDATED _____ HB _____

SHORT TITLE National Park Jurisdiction SJR 8

ANALYST Armstrong

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		See narrative			Recurring	Department of Public Safety

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Resolution

Senate Joint Resolution 8 (SJR8) grants legislative approval of a cession of “concurrent legislative jurisdiction” to the United States regarding the Petroglyph National Monument and the Valles Caldera National Preserve, contingent on a similar cession by the United States to New Mexico. The resolution defines “concurrent legislative jurisdiction” as shared authority over criminal laws, public powers, and tax laws.

FISCAL IMPLICATIONS

SJR8 allows federal and state law enforcement officers to enforce both state and federal law on the Petroglyph National Monument and the Valles Caldera National Preserve. This could result in additional costs to state or local entities in some situations and cost-savings in others. Increased costs could occur if state or local officers respond to calls from the federal properties. However, savings would be realized if a federal officer identifies activity in violation of state law and the officer issues a citation or makes an arrest rather than contacting a state or local officer to do so. Additionally, the resulting prosecution could occur in federal court saving the state additional resources.

SIGNIFICANT ISSUES

The language in the resolution provides that both New Mexico and the United States would cede concurrent legislative jurisdiction to each other, pursuant to the provisions of Section 19-2-2

Senate Joint Resolution 8 – Page 2

NMSA 1978. That statute provides a procedure for jurisdiction transfers. First, the United States shall file a notice of intention to acquire or relinquish legislative jurisdiction with the governor, who shall provide a copy to the attorney general and request comments and recommendations. Second, the governor shall transmit the notice and recommendations from both the governor and the attorney general to the Legislature which may adopt a resolution to approve the transfer. Legislative Finance Committee staff is unaware of such a notice of intention.

JA/al