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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/23/19

SPONSOR Candelaria LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Land Grant Boards Comprehensive Plans SB 17

ANALYST Glenn

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

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		NFI	NFI			See Fiscal Implications

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to House Bills 32, 33, 36 and 94  
 Relates to Senate Bill 44

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
 New Mexico Attorney General (NMAG)

Responses Not Received From  
 Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of Bill

Senate Bill 17 transfers the duty to approve comprehensive plans for purposes of zoning the common lands of land grants-mercedes from the DFA to the board of trustees of each land grant-merced. In taking such an action, a board of trustees must consider the health, safety, and welfare of the residents and the heirs of the land grant-merced.

The bill removes language in existing law that requires DFA to arbitrate zoning conflicts between land grants-mercedes and neighboring counties and municipalities.

The effective date of SB 17 is July 1, 2019.

**FISCAL IMPLICATIONS**

To the extent that DFA currently incurs costs for personnel and other resources related to approving comprehensive plans and arbitrating zoning conflicts, the transfer of those responsibilities to board of trustees of each land grant-merced under SB 17 might reduce DFA's costs.

**SIGNIFICANT ISSUES**

NMAG notes that the removal of DFA's duty to arbitrate zoning conflicts between land grants-mercedes and neighboring counties and municipalities leaves a gap as to who or what entity would settle conflicts should they arise. Without any provision for arbitrating zoning conflicts, it appears that, if the bill is enacted, the board of trustees would have direct responsibility for resolving those conflicts.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

SB 17 relates to HB 94, which pertains to the definition of land grants and partitioning; HB 32, which pertains to legal services for land grants; HB 33, which expands the authority of the Treaty of Guadalupe Hidalgo Division within the Office of the Attorney General; HB 36, which creates a land grant-merced assistance fund; and SB 44, which permits the Department of Transportation to purchase automotive and road equipment for qualified land grants-mercedes.

**TECHNICAL ISSUES**

NMAG suggests adding language to SB 17 for a dispute resolution procedure should zoning conflicts arise between a land grant and a neighboring county or municipality.

BG/gb/al