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FISCAL IMPACT REPORT

SPONSOR Ivey-Soto **ORIGINAL DATE** 02/25/19
LAST UPDATED 02/28/19 **HB** _____

SHORT TITLE Notice of Meetings Involving State Trust Land **SB** 458/aSCONC

ANALYST Hanika-Ortiz

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Minimal			Recurring	State Land Revenues

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

New Mexico Attorney General (NMAG)

State Land Office (SLO)

SUMMARY

Synopsis of SCONC Amendment

The Senate Conservation Committee Amendment to Senate Bill 458 clarifies miles of pipeline means “contiguous miles”; waives the requirement for a hearing if public input has been solicited pursuant to another state process or federal law; and requires the SLO by rule to establish the procedures for a hearing held on certain significant transactions involving state trust lands.

Synopsis of Original Bill

Senate Bill 458 would require that prior to any final action, SLO would publish public notice of and hold a public meeting on land sales or exchanges and right-of-way permits for certain electrical transmission lines in excess of 230 kilovolts, or certain oil or gas pipelines in excess of 24 inches in diameter and at least ten miles in length proposed to be situated on state trust land.

The required notice must be published on the SLO website and in newspapers in Santa Fe and near the geographic location of the proposed activity. The notice must contain: a description of the state trust land offered for sale or exchange or on which the right-of-way is to be located, a summary of the potential effect of the proposed transaction or right-of-way; the time, place and location for a public meeting; and the name of a person to contact at SLO for more information.

The required public meeting must be held in the same geographic location as the proposed activity.

Finally, nothing in the bill, it states, shall alter, change, restrict or diminish the rights, powers and duties of the commissioner in the administration, management, care and control of state trust lands.

FISCAL IMPLICATIONS

The costs may not be significant, but SLO will likely incur expenses related to publishing notices, summarizing affects of proposals, holding public meetings, and responding to public comments.

SIGNIFICANT ISSUES

SB458 seeks to enact law that will require SLO to publish notice and hold a public meeting for comment prior to taking final action for certain land sales or exchanges and right-of-way permits.

PERFORMANCE IMPLICATIONS

According to NMAG, SB458 does not seek to alter any other statutory powers or duties of the commissioner of public lands, other than to set out requirements for notice and public meetings.

ADMINISTRATIVE IMPLICATIONS

SLO anticipates it would publish public notice of and receive public comment on ten or so transactions a year. Furthermore, the additional transparency provided under the bill would not have a significant impact on the ability of the Land Office to complete these transactions.

TECHNICAL ISSUES

NMAG commented that the activities covered by this bill do *not* include land purchases, but do include land sales and exchanges, and it is uncertain whether this exclusion was intended.

OTHER SUBSTANTIVE ISSUES

SLO suggested that SB458 would ensure that the public has the opportunity to provide input on significant transactions which would enhance public confidence in the process.

AHO/gb