

1 SENATE BILL 72

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Mimi Stewart

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10 AN ACT

11 RELATING TO WILDLIFE; AMENDING THE WILDLIFE CORRIDORS ACT TO
12 CREATE THE WILDLIFE CORRIDORS FUND; REQUIRING ANNUAL REPORTING;
13 MAKING AN APPROPRIATION.

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 17-9-1 NMSA 1978 (being Laws 2019,
17 Chapter 97, Section 1) is amended to read:

18 "17-9-1. SHORT TITLE.--~~[This act]~~ Chapter 17, Article 9
19 NMSA 1978 may be cited as the "Wildlife Corridors Act"."

20 SECTION 2. A new section of the Wildlife Corridors Act is
21 enacted to read:

22 "[NEW MATERIAL] WILDLIFE CORRIDORS FUND--CREATED--
23 PURPOSE.--

24 A. The "wildlife corridors fund" is created as a
25 nonreverting fund in the state treasury. The fund consists of
.223706.1

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1 appropriations, gifts, grants, donations, income from
2 investment of the fund and any other money distributed or
3 otherwise allocated to the fund. The department of
4 transportation shall administer the fund, and money in the fund
5 is appropriated to the department of transportation for the
6 purposes set forth in Subsection B of this section.
7 Disbursements from the fund shall be made by warrant of the
8 secretary of finance and administration pursuant to vouchers
9 signed by the secretary of transportation or the secretary's
10 authorized representative.

11 B. Money in the wildlife corridors fund shall be
12 used:

13 (1) to provide safe road crossings for
14 wildlife and reduce wildlife-vehicle collisions, including the
15 projects contained in the wildlife corridors project list
16 prepared as a part of the wildlife corridors action plan
17 pursuant to Section 17-9-3 NMSA 1978;

18 (2) for costs related to:

- 19 (a) project feasibility studies;
20 (b) planning, construction, retrofitting
21 and maintenance of wildlife road crossing infrastructure;
22 (c) roadkill tracking and studies;
23 (d) animal detection systems;
24 (e) signage;
25 (f) exclusionary fencing;

1 (g) wildlife jump outs; and
2 (h) private land conservation efforts;
3 (3) to provide matching money as required by
4 federal grant programs relating to wildlife corridor projects;
5 and

6 (4) for administrative and personnel expenses
7 related to the purposes of the fund as set forth in this
8 subsection.

9 C. The department of transportation shall:

10 (1) consult with the department of game and
11 fish concerning the distribution of money from the wildlife
12 corridors fund for the purposes set forth in Subsection B of
13 this section and, if the money is distributed to a project on
14 or adjacent to lands owned by Indian nations, tribes or
15 pueblos, consult with the appropriate tribal government; and

16 (2) consider distributing money from the fund
17 to projects to fill funding gaps for wildlife road crossings
18 and connectivity that are not otherwise budgeted or required
19 for projects under other federal or state obligation.

20 D. By October 1, 2024, and by October 1 of each
21 year thereafter, the department of transportation shall provide
22 a report to the governor and the legislative finance committee
23 regarding:

24 (1) an aggregate accounting of all money
25 expended from the wildlife corridors fund during the prior

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1 fiscal year; and

2 (2) a listing of all projects receiving
3 funding from the fund and the amount of funding for each
4 project during the prior fiscal year."

5 SECTION 3. APPROPRIATION.--Fifty million dollars
6 (\$50,000,000) is appropriated from the general fund to the
7 wildlife corridors fund for expenditure in fiscal year 2024 and
8 subsequent fiscal years to fund the wildlife corridors fund.
9 Any unexpended or unencumbered balance remaining at the end of
10 a fiscal year shall not revert to the general fund.

11 SECTION 4. EFFECTIVE DATE.--The effective date of the
12 provisions of this act is July 1, 2023.