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FISCAL IMPACT REPORT

SPONSOR: Komadina DATE TYPED: 03/06/01 HB _____
 SHORT TITLE: Endangered Species Act of 1973 SB SM 29
 ANALYST: Dotson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	None				None

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in The General Appropriation Act Relates to HJM 42, HJM 33, SJM 46, SB538 and SB 507

SOURCES OF INFORMATION

Energy, Mineral and Natural Resources Department, Environment Department.

SUMMARY

Synopsis of Bill

Senate Memorial 29 requests that the New Mexico congressional delegation, the president and the appropriate cabinet secretaries consider amending the Endangered Species Act of 1973 to require that credible and sufficient scientific data be available before any federal agency lists, declares habitat or issues a management plan for an endangered species.

The memorial suggests that economic harm has resulted from declaration of critical habitat based on insufficient data. The memorial provides that compensation should be made to individuals that suffer any economic damages due to faulty decisions.

Significant Issues

According to the Department of Energy, Minerals and Natural Resources, the current process requires federal agencies to acquire all data on distribution, habitat requirements, species abundance and impacts to local economies.

According to the Department of Energy, Minerals and Natural Resources, some species have been removed from the list because they were found to be more abundant or less threatened than was believed when the U.S. Fish and Wildlife Service produced the list. With this amendment, the federal

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government would be responsible for compensating individuals who suffer economic damage from faulty decisions.

OTHER SUBSTANTIVE ISSUES

Problems implementing the intent of this memorial include who is responsible for determining and evaluating the level of credible and sufficient scientific data, what constitutes a faulty decision and how compensation is to be calculated.

PD/njw