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FISCAL IMPACT REPORT

SPONSOR Moore **DATE TYPED** 02/04/2004 **HB** HJR 4/aHENRC

SHORT TITLE Eagle Nest Lake Area Property Transfer **SB** _____

ANALYST Aguilar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SJR3

SOURCES OF INFORMATION

LFC Files

Responses Received From

Energy, Minerals and Natural Resources Department (ENMRD)
Department of Game and Fish (DGF)

SUMMARY

Synopsis of HENRC Amendment

The House Energy and Natural Resources Committee amendment removes references to the department of game and fish and replaces with – state game commission. The amendment also removes references to Section 16-2-11 NMSA 1978.

Synopsis of Original Bill

House Joint Resolution 4 authorizes the transfer of a portion of the Eagle Nest Lake property from the Department of Game and Fish to the Energy, Minerals, and Natural Resources Department, State Parks Division (SPD) for the development of a state park. The land to be transferred comprises approximately eight hundred seventy two (872) acres and shall be determined by survey prior to the actual transfer of the property.

Significant Issues

The proposed transfer will provide for the creation of a state park on currently owned state lands that partially surround Eagle Nest Lake in Colfax County.

In 2002, the Legislature appropriated funds to the State Game Commission to acquire Eagle Nest Lake and surrounding acreage, such acquisition is to provide, in part, for the creation of recreational opportunities and to promote tourism.

The lands to be transferred have been mutually agreed upon by the two state agencies. HJR4 provides the basis for the Department of Game and Fish and SPD to effect the land transfer and implement an operating agreement.

DGF and SPD are currently negotiating the terms of a Joint Powers Agreement concerning their respective obligations and responsibilities on the proposed state park. The agreement will enhance the ability of the SPD to enforce laws and regulation on portions of the land now owned by the state game commission.

FISCAL IMPLICATIONS

The cost of a land survey will be absorbed by SPD from existing funds dedicated to this park development.

TECHNICAL ISSUES

For purposes of clarification, the following amendments are suggested:

“WHEREAS [stet];

WHEREAS, in 2002 the legislature appropriated funds to the state game commission for the purchase of Eagle Nest Lake and environs in Colfax county for the purpose of providing hunting, fishing, boating and recreation and promoting tourism;

WHEREAS, the state game commission and the state parks division of the energy minerals and natural resources department agree that it would benefit the state to transfer ownership of part of the property to the state parks division for use and operation as a state park; and

WHEREAS [stet];

NOW, THEREFORE; BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO that the transfer of the described property from the state game commission to the state parks division of the energy, minerals and natural resources department be hereby approved pursuant to Sections 16-2-11 and 13-6-3 NMSA 1978: and

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the state game commission and to the state parks division of the energy, minerals and natural resources department.”

PA/prr