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FISCAL IMPACT REPORT

SPONSOR Lundstrom DATE TYPED 3/17/05 HB 1043/HBICS/aSFC
 SHORT TITLE Horse Rescue and Retirement Facilities SB _____
 ANALYST Aguilar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$3.5			Recurring	Livestock Board Operating Fund
			\$10.0	Nonrecurring	Livestock Board Operating Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
	\$3.5	\$2.0	Recurring	Livestock Board Operating Fund

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of SFC Amendment

The Senate Finance Committee amendment to the House Business and Industry Committee Substitute for House Bill 1043 reduces the initial inspection and registration fee for horse rescue and retirement facilities from \$500 dollars to \$250 dollars.

Synopsis of Original Bill

The House Business and Industry Committee substitute for House Bill 1043 provides for the oversight and regulation of horse rescue and retirement facilities. The bill provides for the New Mexico livestock board, to promulgate rules for horse facilities and further provides for the inspection of such facilities. The bill also provides for a hearing and inspection process and allows for suspension or revocation of registration.

HB 1043 establishes fees for facilities inspection and registration.

Significant Issues

HB 1043 establishes responsibilities for the New Mexico Livestock Board to register facilities that meet requirements for rescue and retirement facilities.

The committee substitute requires the livestock board to consult annually with representatives from the equine industry, equine rescue organizations and veterinarians on facility standards.

The livestock board, after consideration of recommendations by national organizations for the care of unwanted horses and equine rescue and retirement facilities will promulgate rules for facilities including health and sanitary requirements, standards for barns and pastures, qualifications of the facility staff, provisions of veterinary care, feeding and watering requirements, transportation, and other requirements to ensure the humane care of horses.

Facilities not meeting livestock board minimum requirements, after notification, a period of time to remedy deficiencies and re-inspection will be subject to a hearing to determine if the registration should be suspended or revoked.

Inspectors' time to regulate these facilities should increase but not significantly. The inspectors currently have a working relationship with some of these facilities.

The Livestock board proposes to hire a contract veterinarian to promulgate rules and establish the program.

The Livestock Board notes an outcome of this bill would be to create opportunities for persons convicted of animal abuse to do community service in one of these facilities.

PERFORMANCE IMPLICATIONS

Activities required by this legislation are within the scope of the livestock board mission.

FISCAL IMPLICATIONS

The committee substitute provides for an initial inspection and registration fee of \$500 and fees of \$100 for annual inspections and registration as well as re-inspections if needed.

The Livestock Board expects to hire a contract veterinarian to promulgate rules and estimates approximately \$10 thousand dollars for this activity.

TECHNICAL ISSUES

Revenues generated by these activities will not cover the costs of transporting animals if required by the revocation of registration. Boarding and transportation costs will need to be included in rules promulgated.

The livestock board notes the reference to wild horses on page 1, line 23 may be an issue in that currently, wild horses are protected under the federal wild horse and burro program. This language appears to be in conflict with current federal law.