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FISCAL IMPACT REPORT

ORIGINAL DATE 2/24/09
 LAST UPDATED 03/02/09 HB 739/HCPACS

SPONSOR HCPAC

SHORT TITLE Fort Stanton Commission Manager and Architect SB _____

ANALYST Varela

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	None		

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$200.0	\$200.0	\$400.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Cultural Affairs (DCA)

SUMMARY

Synopsis of Original Bill

As funds become available, House Public Affairs Committee substitute for House Bill 739 provides direction to Department of Cultural Affairs (DCA) to hire a full-time manager to oversee the protection, preservation and maintenance of Fort Stanton and its interpretive displays for public use; and a full-time historical architect to develop preservation plans for Fort Stanton and its historic structures.

FISCAL IMPLICATIONS

This bill carries no appropriation. House Bill 739 is applicable as funding becomes available.

DCA estimates salaries and benefits for the two positions at \$200 thousand per year plus administrative overhead. The additional operating costs would need to be absorbed by the department because these positions are currently not budgeted within the Museums and Monuments Program.

According to the February 2009 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$575 million less than the FY09 appropriations before the 2009 solvency reductions. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

SIGNIFICANT ISSUES

Fort Stanton, a property owned by the State of New Mexico and managed by the Museums and Monuments Program (DCA) and General Services Division (GSD), encompasses 1,326 acres, 85 historic and non-historic structures and located in Lincoln County, New Mexico.

In September 2008, the original military reservation dating back to the 1850s and many of the original buildings listed as a National and State Register District along with associated 240 acres were transferred to the Department of Cultural Affairs (DCA). DCA currently does not have the funding or positions necessary to manage Fort Stanton for public use.

ADMINISTRATIVE IMPLICATIONS

In managing state lands within their jurisdiction both GSD and DCA and, therefore, these employees, must comply with the New Mexico Cultural Properties Act, § 18-6-1 et seq., 4.10.7 NMAC; the New Mexico Prehistoric and Historic Sites Protection Act, § 18-8-1 et seq., 4.10.12 NMAC; and the New Mexico Cultural Properties Protection Act, § 18-6A-1, et seq.

The current process of compliance occurs through contracts to preservation professionals and experts.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill relates to the LFC recommended level of funding for the Museums and Monuments Program of DCA which did not include funding for the positions.

PV/mc