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FISCAL IMPACT REPORT

ORIGINAL DATE 01/29/13

SPONSOR Wooley LAST UPDATED _____ HB 141

SHORT TITLE Improve Ft. Stanton Cemetery SB _____

ANALYST Soderquist

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY13	FY14		
	\$750.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Cultural Affairs (DCA)
 Department of Military Affairs (DMA)
 Veteran Services Department (VSD)

SUMMARY

Synopsis of Bill

House Bill 141 appropriates \$750,000 to Department of Cultural Affairs (DCA) to improve and maintain the cemetery at Ft. Stanton State Monument, contingent upon DCA receiving a grant of \$7.5 million from the U.S. Department of Veterans Affairs.

According to the response from the DCA, the federal grant mentioned in the legislation will provide \$750,000 per year for ten years from the federal government for general maintenance at Fort Stanton Cemetery.

FISCAL IMPLICATIONS

The appropriation of \$750 thousand contained in this bill is a recurring expense to the General Fund. Any unexpended or unencumbered balance remaining at the end of the fiscal year shall not revert to the General Fund.

SIGNIFICANT ISSUES

The Department of Cultural Affairs (DCA) currently has a Joint Operating Agreement with the NM Department of Veterans Services (DVS) for the management of the Cemetery. DVS manages guidelines for cemetery burials, while DCA maintains the property as owner. DVS is applying for federal funds to create a new state veterans cemetery at the property. With the Santa Fe National Cemetery slated to close within the next 10 to 15 years, New Mexico will need to provide a final resting place for our veterans, especially for the veteran's in the southern part of the state. The state will also need to provide oversight and maintenance in perpetuity.

PERFORMANCE IMPLICATIONS

Fort Stanton State Monument currently has a staff of two maintenance workers. The museum operates on a daily basis entirely by volunteers. Cemetery upkeep would prove a challenge with the current staffing level.

ADMINISTRATIVE IMPLICATIONS

The DCA currently has a joint power agreement with DVS to manage the cemetery at Fort Stanton. The DCA response states that both agencies would work together on the implementation of this project. The DVS response states that DCA and DVS are entering into a Joint Powers Agreement to give management responsibility of the cemetery to DVS.

TECHNICAL ISSUES

The legislation states the appropriations proposed in the legislation is “contingent on the department receiving a grant of seven million five hundred thousand dollars from the United States department of veterans affairs”, but does not specify which department – DCA or DVS – should receive these funds. The only department mentioned in the legislation is the DCA. The legislation could be amended to specify whether the DCA or the DVS receive the funding. As an alternative, the legislation could specify the State of New Mexico receive the grant.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The State of New Mexico could potentially lose access to \$7.5 million in federal funding.

RS/bm