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FISCAL IMPACT REPORT

ORIGINAL DATE

SPONSOR Smith/Ivey-Soto **LAST UPDATED** 01/30/15 **HB** 147

SHORT TITLE Animal Sheltering Board To Environment Dept **SB** _____

ANALYST Cerny

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		See narrative	See narrative			

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)
 NM Environment Department (NMED)

SUMMARY

Synopsis of Bill

House Bill 147 will transfer the duties and powers of the Animal Sheltering Board to the Department of Environment.

Section 1: The definition of “department” removes regulation and licensing and adds environment department.

Section 2: The language removes superintendent of regulation and licensing or the term “superintendent’s” and adds secretary of environment or the secretary’s designee.

Section 3: Provides for an effective date of the provisions as July 1, 2016.

FISCAL IMPLICATIONS

The Animal Sheltering Board currently is appropriated \$ 28.7 thousand from the general fund and \$62.6 thousand from other state funds.

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The Animal Care and Facility Fund (Animal Sheltering Fund) currently has a balance of \$157.7 thousand. Last year revenue amounted to \$2.7 thousand, is projected at \$8.7 thousand for FY 17 and \$2.7 for FY 2018. The fund receives revenue from special registration plates. Section 77-1B-4B NMSA 1978 delineates what other monies comprise the fund.

The Board currently has 1.0 FTE. however the Legislative Finance Committee recommendation to the Fifty-Second Legislature this FTE be cut to .8.

All money, records, and other property of the Animal Sheltering Board will be transferred to the NMED.

NMED analysis states that the agency will need to hire additional staff and create a proper administrative unit within its current organizational structure, with the necessary expertise, to implement the requirements of HB 147.

SIGNIFICANT ISSUES

HB 147 transfers all administrative duties and assets related to the 9-person Animal Sheltering Board (Section 77, 1B 1-12, NMSA 1978) from RLD to NMED.

The Animal Sheltering board, among other responsibilities, licenses animal shelters and animal euthanasia technicians, provides for the inspection of animal shelters and euthanasia agencies, levies administrative penalties, pursues disciplinary actions, and prescribes standards and approves curricula for educational programs that will be used to train and prepare persons for licensure or certification pursuant to the Animal Sheltering Act (see Board Powers and Duties, Section 77-1B-5 NMSA 1978).

This Animal Sheltering Act is due to be repealed effective July 1, 2020, terminating the Animal Sheltering Board.

RLD analysis states no significant issues.

NMED in its analysis states it is concerned that:

It does not have the expertise to effectively administer this program. NMED is responsible for environmental management and consumer protection in order to ensure an environment that in the greatest possible measure will confer optimum health, safety, comfort, and economic and social well-being on its inhabitants; protect this generation and those yet unborn from health threats posed by the environment; and maximize the economic and cultural benefits of a healthy people. NMED staff expertise is geared toward fulfilling these purposes.

NMED would require additional staff with expertise in animal euthanasia and veterinary medicine to ensure that the provisions of NMSA 1978, Sections 77-1b-1 through -12 and 16.24.1 through .6 NMAC are properly administered. NMSA 1978, § 77-1b-3(L).

It is unknown what other resources NMED would require to meet the requirements of HB 147.

PERFORMANCE IMPLICATIONS

NMED analysis states that it does not currently have the staff or resources necessary to meet the requirements of HB 147. Depending on the state of the Fund, NMED may require significant additional resources to ensure the ability of NMED staff to perform their jobs effectively and efficiently.

ADMINISTRATIVE IMPLICATIONS

The administrative implications will be that all administrative duties, along with one (1) FTE, funds, records, and other property of the Animal Sheltering Board will be transferred to NMED.

CAC/aml/je