

through FY26 and any unspent money would revert to the general fund at the end of FY26.

FISCAL IMPLICATIONS

The appropriation of \$100 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY26 shall revert to the general fund.

DFA estimates the annual cost of hiring a professional surveyor and a property law attorney to be \$86.5 thousand and \$121.6 thousand, respectively, including salary and benefits, for a total annual cost of approximately \$208.1 thousand.

SIGNIFICANT ISSUES

In FY20, the New Mexico Land Grant Council (NMLGC), which is administratively attached to DFA, spent \$21.6 thousand on a contract with a professional surveyor. The surveyor provided services to five land grants. In FY20, the council spent \$40 thousand on a contact with New Mexico Legal Aid to provide legal representation to land grants regarding resolution of property disputes, compliance with federal and state laws and regulations, property acquisitions, titles on common lands, development of federal and state policy, water right declarations, and water right adjudication proceedings.

ADMINISTRATIVE IMPLICATIONS

It is not clear if the positions are to be created within DFA and managed by DFA, or if the NMLGC, administratively attached to DFA, is responsible for hiring for and managing these two positions.

OTHER SUBSTANTIVE ISSUES

NMLGC assists land grants and serves as a liaison between land grants and other federal, state, and local governments. In its 2020 annual report, the council reported providing assistance to land grants on issues including liaison work, policy work, legal services, professional surveying services, historical research, direct financial support, and more.

The council has an FY21 operating budget of \$296.9 thousand.

According to the NMLGC, most land grants have annual budgets below \$10 thousand and a few have budgets between \$10 thousand and \$50 thousand.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Bill 377 includes an appropriation of \$50 thousand for DFA to hire or contract with a surveyor and attorney who specializes in real estate law to assist land grants in defining and defending their common lands.

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