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FISCAL IMPACT REPORT

SPONSOR Ingle LAST UPDATED _____
ORIGINAL DATE 2/13/2023
BILL _____
SHORT TITLE Melrose Air Force Range Land Agreement NUMBER Senate Bill 257
ANALYST Dick-Peddie

APPROPRIATION* (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
	\$100.0	Nonrecurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Responses Received From

New Mexico Attorney General
Office of the Natural Resources Trustee
Office of Military Base Planning

No Response Received

Energy, Minerals and Natural Resources Department

SUMMARY

Synopsis of Senate Bill 257

Senate Bill 257 appropriates \$100 thousand from the general fund to the Economic Development Department for the purpose of contracting with The Conservation Fund (a national non-profit) to manage and administer a readiness and environmental protection integration (REPI) agreement for the acquisition and protection approximately 7,000 acres of land adjacent to the Melrose Air Force Range.

This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

FISCAL IMPLICATIONS

The appropriation of \$100 thousand contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY24 shall revert to the general fund.

SIGNIFICANT ISSUES

The appropriation contained in the bill of \$100 thousand designated to a specific nonprofit is above the state procurement code small purchase limit. The Economic Development Department would be required under the procurement code to solicit requests for proposals to manage this acquisition, and could not simply give the funding to the Conservation Fund.

The Office of the Natural Resources Trustee notes that an agreement between the Air Force and The Conservation Fund could protect military training space and landowner interests and provide a benefit to the lesser prairie-chicken.

The New Mexico Attorney General notes that it is unclear from the language of the bill “whether the referenced agreement already exists or whether the “management and administrative expenses” are related to the development of a prospective agreement” and notes that “more precise language could facilitate public transparency.”

ADP/rl/ne