

LFC Requester:**Connor Jorgensen****AGENCY BILL ANALYSIS - 2025 REGULAR SESSION****WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov****(Analysis must be uploaded as a PDF)****SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Date 2/10/2025 *Check all that apply:*
Prepared: _____
Bill HB 315 Original Correct
Number: _____ ion _____
 Amend _____ Substit
 ment _____ ute _____

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SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
\$0.0	\$250.0	Nonrecurring	General Fund

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A	N/A	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected

Total	NFI	NFI	NFI	NFI	N/A	N/A
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(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House bill 315 (HB 315) would appropriate two hundred and fifty thousand dollars (\$250.0) to the board of regents of the New Mexico state university (NMSU) for the New Mexico department of agriculture (NMDA) to work with the soil and water conservation commission (SWCC) and cultural affairs department (DCA) to develop a statewide archaeology field school education program.

FISCAL IMPLICATIONS

NMDA would implement the funding using existing resources and personnel.

SIGNIFICANT ISSUES

The Soil and Water Conservation District Act (SWCD Act, 73-20-25 through 73-20-48 NMSA 1978) established the SWCC. The SWCC is composed of seven appointed members and five ex-officio members who advise NMDA in the exercise of its powers and duties under the SWCD Act. Soil and Water Conservation Districts (SWCDs) are empowered by the SWCD Act to work on local, state, federal, tribal, and private land to perform a variety of functions, including conserving and developing the natural resources of the state, providing for flood control, preserving wildlife, and protecting the state tax base.

There are numerous state statutes and administrative rules that require pre-project review to mitigate potential impacts to archaeological sites in New Mexico. The applicability of different statutes, rules, and laws is often dependent upon the land ownership status where a given project will occur (e.g. private, state, federal, etc.). Broadly, Title 4, Chapter 10 of the New Mexico Administrative Code (NMAC) contains provisions that political subdivisions of the state, such as SWCDs, must follow in their implementation of on-the-ground projects, such as restoration projects or range improvement projects. In response to NMDA’s past informal inquiries, DCA has advised that, in general, political subdivisions of the state should consult with staff in DCA’s Historic Preservation Division prior to the initiation of any project. Consultation should be used to determine the necessity of more extensive archaeological surveys and reviews. In general, projects are barred from disturbing or otherwise altering sites that are *currently* on the State Register of Cultural Properties AND sites that *would be* eligible to be on the State Register of Cultural Properties.

Additionally, when working on state trust lands, project proponents are required by Title 19, Chapter 2, Part 24 of the NMAC to conduct informational reviews and archaeological surveys before any surface disturbing activity occurs.

PERFORMANCE IMPLICATIONS

Although NMDA requests that applicants to agency grant programs apply with shovel-ready projects, post-award project initiation is occasionally delayed by a lingering need to complete archaeological clearance. Increased capacity to conduct archaeological clearances may increase the ability of SWCDs and other applicants to secure and utilize NMDA's grant program funding, thus having the ultimate effect of increasing the spending efficiency of NMDA conservation programs.

ADMINISTRATIVE IMPLICATIONS

NMDA would implement the funding using existing resources and personnel. NMDA does not have expertise in the area of archaeological review. NMDA would need to utilize a request for proposals for a contractor to meet the purposes of this appropriation.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If HB 315 is not enacted, two hundred fifty thousand dollars (\$250.0) will not be appropriated to NMSU for NMDA to work with the SWCC and DCA to develop a statewide archaeology field school education program.

AMENDMENTS

N/A