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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/8/19

SPONSOR SRC \_\_\_\_\_ LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Transfer Jurisdiction of National Park Units SJR 3/SRCS

ANALYST Glenn

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	No Fiscal Implications					

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Attorney General (NMAG)  
 Department of Game and Fish (DGF)  
 Energy, Minerals and Natural Resources Department (EMNRD)  
 State Land Office (SLO)  
 Office of Natural Resources Trustee (ONRT)

### SUMMARY

#### Synopsis of Resolution

The Senate Rules Committee Substitute for Senate Joint Resolution 3 grants concurrent legislative jurisdiction to the United States over lands and waters the United States owns, manages, leases, or administers within the Petroglyph National Monument and Valles Caldera National Preserve. Concurrent legislative jurisdiction vests in the State of New Mexico and the United States all rights of a sovereign, so that the United States and the State both have authority and can pass legislation with respect to the land and persons using or residing upon the land.

SJR 3 provides that the transfer of jurisdiction shall take effect once the resolution is recorded as required by law in the county clerk's office of the county or counties where the affected lands and waters are situated. The resolution recognizes that additional tracts of land may be added to the Petroglyph National Monument and Valles Caldera National Preserve under federal law, and sets forth procedures for granting concurrent jurisdiction on the additional tracts without further legislative action.

**SIGNIFICANT ISSUES**

SJR 3 grants concurrent jurisdiction pursuant to Section 19-2-2 NMSA 1978, which requires the United States to file a notice of intention to acquire jurisdiction of the lands with the governor. The governor is required to transmit the notice, along with any comments by the governor and attorney general, to the legislature. The legislature then adopts a resolution approving the transfer of jurisdiction. If the legislature does not adopt the resolution, the transfer is not effective.

**ADMINISTRATIVE IMPLICATIONS**

DGF notes that concurrent legislative jurisdiction would allow its officers to enforce state laws relating to game and fish and outdoor recreation on the Valles Caldera National Preserve and the Petroglyph National Monument.

**OTHER SUBSTANTIVE ISSUES**

SLO states that it is unclear what the purpose or benefits of the resolution are, but speculates that the resolution might allow for joint response and management related to emergencies. SLO notes that there are no direct or obvious impacts to state trust land, other than proximity of state trust land to Petroglyph national monument.

BG/sb