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FISCAL IMPACT REPORT

SPONSOR: Griego DATE TYPED: 3/05/03 HB _____

SHORT TITLE: Maintain El Camino Real As Public Highway SB SM 46

ANALYST: Reynolds-Forte

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
		See significant Issues			

(Parenthesis () Indicate Expenditure Decreases)

Responses Received From

State Highway and Transportation Department
 State Department of Game and Fish
 Attorney General's Office

SUMMARY

Synopsis of Bill

SM46 asks the Senate to resolve that the appropriate departments, agencies, boards and commissions of the executive branch be requested and encouraged to support the ongoing efforts to maintain public travel on and access by El Camino Real to areas historically served by this public highway.

Significant Issues

The road which was once a part of the historic Santa Fe Trail and was once NM21/199 was deeded by the State Highway Commission to the State Game Commission. The private land-owner where a portion of the road is located has put up a gate which closes the road to the public. A lawsuit was filed against the owner, the UUBAR Ranch. A state district court ruled in favor of the UUBAR Ranch in State of New Mexico and State Game Commission v. UUBAR Limited Partnership, et. al. This case, brought by the Attorney General's Office in 1998 and later joined by the State Game Commission, involves the disputed ownership of the former state road that gives the public access to approximately 45,000 acres of state trust land located in Colfax County. The district court's decision gave control of the road to the UU-BAR ranch, citing diffi-

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culties in the transfer of property by the two state agencies. The Attorney General's Office is appealing this decision.

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