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FISCAL IMPACT REPORT

SPONSOR Robinson DATE TYPED 3/9/05 HB _____

SHORT TITLE Otero Mesa Archeological Survey SB 927

ANALYST Aguilar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$100.0			Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Energy, Minerals and Natural Resources Department (EMNRD)
Commissioner of Public Lands (SLO)

SUMMARY

Synopsis of Bill

Senate Bill 927 appropriates \$100 thousand from the general fund to the State Land Office for expenditure in FY 06 to conduct an archaeological survey of Otero Mesa, including site evaluations and photographic and film documentation.

Significant Issues

Otero Mesa geographic limits are not defined. The bill does not specifically restrict the study to state trust lands in the Otero Mesa area. There are significant acres of federal land in the area that has been referred to as Otero Mesa. State trust lands are interspersed with federal lands and a study that included federal lands would be a much more time consuming project than one limited to trust lands only. State trust lands in the Otero Mesa area alone comprise approximately 500 thousand acres and a study of this area would consume a significant amount of time for the Land Office's one in-house archaeologist.

The Cultural Properties Protection Act, Section 18-6A-5 NMSA 1978 provides that the State

Historic Preservation Officer (SHPO) shall cooperate with state agencies to establish a system of professional surveys of cultural properties on state lands. In addition, the Cultural Properties Act, Section 18-6-8(D)(5) NMSA 1978 provides that the SHPO shall review state undertakings to determine their effect upon significant historic properties

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 fiscal year 2006 shall revert to the general fund.

TECHNICAL ISSUES

The Energy, Minerals and Natural Resources Department suggests the following amendment for consideration by the legislature:

Section 1. APPROPRIATION. – One hundred thousand dollars (\$100,000) is appropriated from the general fund to the state land office for expenditure in fiscal year 2006 to contract with the State Historic Preservation Office to conduct an archaeological survey of Otero mesa, including site evaluations and photographic and film documentation. Any unexpended or unencumbered balance remaining at the end of fiscal year 2006 shall revert to the general fund".

PA/sb