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## FISCAL IMPACT REPORT

SPONSOR Campos DATE TYPED 1/31/05 HB \_\_\_\_\_  
 SHORT TITLE \_\_\_\_\_ SB SJR 6  
 ANALYST Moser

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
		NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY05	FY06			
0	0	Unknown	N/A	N/A

(Parenthesis ( ) Indicate Revenue Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Transportation (DOT)  
 General Services Department (GSD)  
 Energy, Minerals, and Natural Resources (EMNR)

### SUMMARY

#### Synopsis of Bill

Senate Joint Resolution 6, because of a requirement in NMSA 1978, Section 13-6-3 that the legislature ratify and approve any sale, trade or lease of state property for a period exceeding twenty-five years and of over \$100,000 in value, seeks to provide legislative approval for the General Services Department to transfer property ownership of two airport runways to the Aviation Division of the Department of Transportation (DOT). The airport runways are located within two state parks but were deeded to the Property Control Division (PCD) of the General Services Department. Included in the resolution are descriptions of the properties, and findings that the runways are operated by the State Parks Division of the Energy, Minerals and Natural Resources Department (EMNRD); that neither state parks nor PCD are able to maintain the runways; that DOT can maintain runways; and that it is in the best interest of the state to have prop-

erly maintained runways.

### Significant Issues

The State Parks Division (SPD) of the Energy, Minerals and Natural Resources Department (EMNRD) and the General Services Department support SJR 6. In the 1960's DOT acquired lands and constructed airport runways near Conchas Lake State Park (San Miguel County) and Navajo Lake State Park (San Juan County). In 1979, DOT deeded the property in San Miguel County to the General Services Department (GSD) to hold for the benefit of SPD. In 1982, DOT deeded the property in San Juan County to GSD to hold for the benefit of State Parks Division (SPD). SPD has never had the operating funds or expertise to properly maintain the airport runways and sought assistance from DOT for maintenance and upgrade. In 1996 a Joint Powers Agreement between EMNRD and DOT (formerly the New Mexico State Highway and Transportation Department) was executed to effect this change in operators. Since then DOT has spent considerable amounts of money on the airport runways to keep them operable. SPD has neither the capital nor operating funds to maintain these runways, nor does it have the staff or expertise to do so. SPD supports the transfer of ownership to DOT.

Federal money can only be used to maintain the airstrips if they are owned by DOT. GSD supports transfer of this property to DOT in order to properly align responsibilities for operations and maintenance with ownership of the runways.

### **PERFORMANCE IMPLICATIONS**

Will result in better maintained and operated small aircraft runways at Conchas Lake and Navajo Lake to benefit the public as well as state agencies that utilize these facilities.

### **FISCAL IMPLICATIONS**

DOT's Aviation Division will be able to receive and utilize federal grant monies to improve both facilities.

### **ADMINISTRATIVE IMPLICATIONS**

There will be minimal administrative impact to SPD mainly involving the review and approval of transfer documents.

### **OTHER SUBSTANTIVE ISSUES**

DOT's Aviation Division has the authority, Section 64-1-13 (H) (1), NMSA 1978, "... to acquire property, real or personal or any interest therein ... as are necessary to permit safe and efficient operation of the airports or air navigation facilities." SJR 6 achieves alignment between ownership of private aircraft runways and DOT's Aviation Division.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

Ownership will remain with Property Control Division, which has no maintenance funding or capability. Federal funding could possibly be forfeited for these runways.