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## FISCAL IMPACT REPORT

SPONSOR	Stewart	ORIGINAL DATE	1-22-07	LAST UPDATED	3-9-07	HB	83
SHORT TITLE	Native Animal Habitat Conservation	SB					
		ANALYST	Woods				

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates SB176

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Game and Fish (DGF)

Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of Bill

House Bill 83 provides for the authority to expend money from the game protection fund, the habitat management fund, and other sources for habitat conservation of native animal species. It additionally reconciles multiple amendments to the same section of law in Laws 2005.

### FISCAL IMPLICATIONS

The Department of Finance and Administration (DFA) indicates that amended language would allow the Commission to use "any funding source to carry out habitat management activities," which, although, may allow the agency to increase the level of habitat management services offered, should be considered in light of the additional regulatory authority associated with the legislation.

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Additionally, neither the DFA analysis, nor that offered by DGF address any the particular fiscal impact suggested by the “any funding source” comments by DFA.

The Department of Game and Fish (DGF) indicates that this bill will provide an opportunity for the department to be eligible for federal funding leveraging and native wildlife grants. These funds will assist the agency in improving conservation programs by extending key conservation practices to all native wildlife species.

## **SIGNIFICANT ISSUES**

DGF notes that this bill will ensure that all native wildlife species are clearly contained within Game Commission authority to conduct a full range of habitat management and information programs to promote their conservation. This bill will not extend regulatory authority to additional species not already regulated by statute.

Under current statutory authority, the State Game Commission has the authority to expend funds only to conduct studies, conduct management programs, and acquire habitat for wildlife species that are under specific regulatory authority. This includes game animals and threatened or endangered wildlife species only. Current approaches to wildlife management recognize the holistic or ecosystem approach to management as being beneficial to a suite of species without specific focus on any individual species. Even in cases where a specific species is emphasized, it is widely recognized that many benefit.

DGF adds that New Mexico’s recent effort to complete a Comprehensive Wildlife Conservation Strategy for New Mexico reflects the “comprehensive” approach where habitats are the focus rather than the specific species. To adequately support this approach under the State Wildlife Grant program, the State Game Commission requires the ability to put resources toward all native wildlife species in New Mexico. Also, efforts to pass a Land, Wildlife, and Clean Energy Act further emphasize the need to ensure that the state wildlife agency has clear authority to implement the conservation actions provided for in that Act. Additional regulatory authority may be considered controversial governmental action by agricultural, industrial, and commodity interests.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Duplicates SB176

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