

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SJR 11a

50th Legislature, 1st Session, 2011

Tracking Number: .184360.3

Short Title: Transfer of State-Owned Property

Sponsor(s): Senators Michael S. Sanchez and Timothy Z. Jennings

Analyst: James Ball

Date: March 3, 2011

AS AMENDED

The Senate Finance Committee amendment stipulates that, if the Los Lunas School District should ever decide that the property being transferred to it should no longer be needed for the Katherine Gallegos Elementary School and should be disposed of, the property shall, at the option of the state, be reconveyed to state ownership at no cost.

Original Bill Summary:

SJR 11 ratifies and approves the transfer of real property located at 206 Don Pasqual Road in Los Lunas from the state to the Los Lunas Public School district.

Fiscal Impact:

Resolutions do not contain appropriations.

Technical Issues:

The fiscal impact report by the Legislative Finance Committee raises some technical issues that may be worth noting:

- on page 2, line 6 after “acres” insert “to be verified by a professional land survey”; and
- on page 2, between line 6 and line 7, insert the following: “WHEREAS, prior to the transfer of the property, the Los Lunas Public Schools shall furnish a survey plat of the property sufficient to verify the legal descriptions, the total acreage to be transferred, identifying any all existing and/or proposed easements and encroachments of record.”

Substantive Issues:

Statute requires legislative approval for the transfer of state-owned real property valued at \$100,000 or more to another state agency, local public body, school district, or state educational institution.

The Public Education Department states that the Katherine Gallegos Elementary School is currently located on the property in question. With the approval of the transfer to the school

district, the property will be owned by the district and the transfer will eliminate any potential property disputes between the state and the district at the end of the current lease.

Background:

According to the Property Control Division (PCD) of the General Services Department (GSD), the parcel of land that is the subject of SJR 11 has been leased to the Los Lunas Schools since 1988. Furthermore, the property is not available for current development by the state, and it does not generate sufficient revenues to continue the lease relationship.

GSD also states that PCD does not intend to remove the school buildings and therefore has no need for the property. The transfer to the district would benefit both parties, reducing administrative costs for the state and aligning ownership and operations for the district.

Related Bills:

SJR 8 *Lease, Sale or Trade Real Property in Hobbs*