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FISCAL IMPACT REPORT

SPONSOR T. Salazar & Keller ORIGINAL DATE 01/22/14
LAST UPDATED _____ HB 42

SHORT TITLE Filing of Annual Land Grant Board Reports SB _____

ANALYST Weber

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY14	FY15	FY16	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General Office (AGO)

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of Bill

House Bill 42 amends 49-1-12 NMSA 1978 (Land Grants) by adding to the following to B:

for the purposes of this subsection, filing the report with the land grant council to be kept with the New Mexico community land grant registry shall be considered filing the report in a public place.

FISCAL IMPLICATIONS

There are no fiscal implications.

SIGNIFICANT ISSUES

DFA offers the following comments:

Current law requires that all land grants that are registered as political subdivisions of the State of New Mexico produce an annual report for the year and for that report to be housed in a public place. HB 42 would allow annual reports to be sent to the New Mexico Community Land Grant registry, which is administratively attached to the New Mexico Land Grant Council. The

registry is housed at the UNM Land Grant Studies Program, which acts as custodian of land grant records. All records that are delivered to the registry are scanned, and an electronic copy and hard copy are kept on file. This meets the legal requirements of making records stored and available in a public place. Also, both the Land Grant Council and the UNM Land Grant Studies Program are public entities and are both subject to the Inspection of Public Records Act. The Act requires that information requests from the public be addressed and completed within 15 days of receipt of the request. The New Mexico Land Grant Council provides information about accessing the registry on their website.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Currently 49-1-12 NMSA 1978 requires that the report be “maintained in a public place and available for public review”. This bill identifies a specific location for maintenance of these public records which should make the records readily accessible for review. If the bill is not enabled location of the records remains unspecified.

POSSIBLE QUESTIONS

Where are the records currently housed?

MW/ds