

FIFTY-SIXTH LEGISLATURE  
FIRST SESSION, 2023

SB 94/a

February 16, 2023

Mr. President:

Your **FINANCE COMMITTEE**, to whom has been referred

**SENATE BILL 94**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 9, between lines 3 and 4, insert the following new section:

**"SECTION 2.** Section 16-3-4 NMSA 1978 (being Laws 1973, Chapter 372, Section 4, as amended) is amended to read:

"16-3-4. STATE TRAILS SYSTEM CREATED--TYPES OF TRAILS--  
PLANNING.--

A. There is created a "state trails system" composed of:

(1) "state scenic trails", which are extended trails so located as to provide maximum potential for the appreciation of natural areas and for the conservation and enjoyment of the significant scenic, historic, natural, ecological, geological or cultural qualities of the areas through which such trails pass;

(2) "state recreation trails", which are trails designed to provide a variety of outdoor recreational uses in or reasonably accessible to urban areas and, where appropriate, shall connect parks, scenic areas, historical points and neighboring communities;

(3) "state historical trails", which are trails designed to identify and interpret routes ~~which~~ that were significant in the prehistoric settlement or historical development of the state; and

(4) "special use trails", which are trails that may provide uses also provided by scenic, recreation and historical trails but which shall not be limited to such uses. The secretary may designate special use trails in such locations as ~~the~~ the secretary deems appropriate and may limit the use of such trails to such special users as ~~the~~ the secretary determines. In designating

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special use trails, the secretary shall give due regard to the interests of users who have needs of a special nature ~~{which}~~ that are not fulfilled by other trail types comprising the state trails system.

B. State trails shall be supplemented by support facilities deemed necessary and feasible by the secretary. These facilities shall comply with ~~{health and}~~ department of environment ~~{department}~~ standards and regulations.

C. In the planning and designation of trails, the secretary shall give due regard to the interests of federal or state agencies, counties, municipalities, private landowners and interested individuals and recreational and conservation organizations. The secretary shall give full consideration to the inclusion of trails from all categories within the system.

D. The secretary shall prescribe the uses and limits of each type of trail.

E. Separate trails may be established for motorized vehicles but shall not be trails designated for horseback riding, hiking or bicycling.

F. Before making a final designation of any trail, the secretary shall:

(1) hold a public hearing after proper notice within the affected county and area; and

(2) as a result of the hearing, adopt a finding approving or disapproving the trail based upon evidence as to the adverse effects that the trail has on the holders of any interest in the lands in the proximity of the trail.

G. The provisions of the State Trails System Act relating to the planning and designation of trails do not apply to the Rio Grande trail."

2. Renumber the succeeding sections accordingly.

Respectfully submitted,

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\_\_\_\_\_  
Senator George Muñoz, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against  
Yes: 8  
No: 0  
Excused: Campos, Hemphill, Woods  
Absent: None

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