

LFC Requester:

Caitlyn Wan

AGENCY BILL ANALYSIS
2024 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

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{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute, or a correction of a previous bill}

Check all that apply:

Date

Prepared: 02/4/2024

Original Amendment

Senate Bill 169/a (SB

Bill No: 169/a)

Correction Substitute

Sponsor:

Senator Mimi Stewart
Senator Steven P. Neville

Agency Name
and Code

Number: EMNRD 521

Short
Title:

Land & Water Conservation
Fund Changes

Person Writing Analysis: Toby G. Velasquez, State Parks Director

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
N/A	\$10,000.00	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A
Duplicates/Relates to Appropriation in the General Appropriation Act - Unknown

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: The Senate Conservation amendment to Senate Bill 169 (SB 169/a) amends Page 2, lines 5 - 10 to read, "...land and water conservation fund state and local assistance formula grants program" and on Page 3, lines 5 -6, clarifies that "technical assistance" does not include the Division conducting compliance procedures on behalf of the applicants for the National Environmental Protection Act pathway (e.g., environmental clearances, archaeological cultural surveys), processing of permits, producing geographic information systems data, or conducting project planning, developing designs, engaging contracting, or directing project management.

FISCAL IMPLICATIONS

SB 169 as amended by the Senate Conservation Committee ensures that the new appropriation in the underlying bill to the State Supplemental Land and Water Conservation Fund (SSLWCF) can only be used as match by eligible entities for the Land and Water Conservation Fund State and Local Assistance Formula Grants Program (the Formula Grants). The State Parks Division of the Energy, Minerals, & Natural Resources Department (the Division) supports this amendment as it clarifies that the SSLWCF is not intended to provide match for the Outdoor Recreation Legacy Partnership (ORLP). The ORLP is another, separate program supported by the Land and Water Conservation Fund.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

SB 169/a defines and effectively informs eligible SSLWCF eligible applicants that the Division shall not provide technical assistance to applicants to include compliance procedures on behalf of the applicants for the federal National Environmental Policy Act of 1969, which includes processing of permits, producing geographic information systems data, conducting project planning, developing designs, or engaging, contracting, or directing project management. This will ensure that applicants and the Division have clear delineation of responsibilities.

ADMINISTRATIVE IMPLICATIONS

SB 169 will better support the Division to administer SSLWCF funds in support of eligible projects during the early stages of the grant application and preliminary review process.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SB 169/a is not enacted, there will be no amendments to the SSLWCF, the political subdivision fund matching requirement will not be removed, the incorporated municipality population cap will not be removed, there will be no amendment for eligible recipients of funds, and there will be no prioritization of funding requests of Indian nations, tribes, pueblos, and rural communities. Reference to a defunct entity will not be removed, and citations will not be revised. A ten million dollars (\$10,000.0) appropriation from the General Fund to the SSLWCF for expenditure in fiscal year 2025 and subsequent fiscal years to carry out the purposes of the fund will not occur.

AMENDMENTS

None.