

LFC Requester:**Helen Gaussoin**

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{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:

Original **Amendment**
Correction **Substitute**

Date 1/23/2024

Bill No: SB 84

Sponsor: Sen. Steinborn **Agency Name and Code** EMNRD-521
Short Title: Reclamation of Abandoned Sites **Number:** _____
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	5,000.0	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		

(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						

(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: Appropriates \$5.0 million (GF, Nonreverting) to NMED for use in FY25 and beyond for the assessment, remediation, or reclamation of “orphaned or abandoned sites.” The Bill does not define what might constitute “orphaned or abandoned sites” eligible for assessment, remediation, or reclamation through the funding appropriated in this bill.

FISCAL IMPLICATIONS

None for EMNRD directly.

SB84 appropriates money to NMED (and only NMED) for the assessment, remediation, or reclamation of “orphaned or abandoned sites.” Because the bill does not define what might constitute “orphaned or abandoned sites” eligible for assessment, remediation, or reclamation through the funding appropriated in this bill, it is unclear whether the bill intended for this money to address orphaned or abandoned sites under EMNRD’s jurisdiction (such as orphaned petroleum extraction wells under the jurisdiction of EMNRD’s Oil Conservation Division or abandoned mine shafts under the jurisdiction of EMNRD’s Mining and Minerals Division). If it intended to address “orphaned or abandoned sites” under EMNRD’s jurisdiction, then the appropriation should include EMNRD as well as NMED. If it is not intended to address sites under EMNRD’s jurisdiction, the bill text should specify what sort of orphaned or abandoned sites it is meant to apply to.

In addition, NMED and EMNRD share responsibility over abandoned uranium mine and mill sites that could presumably qualify as “orphaned or abandoned sites” eligible for assessment, remediation, or reclamation through the funding appropriated in this bill. It is unclear whether appropriation to NMED alone could be used for the clean up of uranium sites where NMED and EMNRD collaborate. There is a Uranium Reclamation Fund specifically for assessment, remediation, or reclamation of abandoned uranium sites; if the intent of this bill is to fund Uranium clean up, EMNRD recommends revising the bill to direct funding into that Uranium Reclamation Fund.

SIGNIFICANT ISSUES

See above in Fiscal Implications. EMNRD reiterates that the bill text ought to specify the type of orphaned or abandoned site the appropriation is meant to address.

PERFORMANCE IMPLICATIONS

None for EMNRD.

ADMINISTRATIVE IMPLICATIONS

None for EMNRD.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

See Significant Issues, above, regarding the definition of ‘orphaned or abandoned site’.

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

No funds would be appropriated to NMED for the assessment, remediation, or reclamation of “orphaned or abandoned sites” in New Mexico.

AMENDMENTS