

LFC Requester:	Caitlyn Wan
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.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: Date 1.23.24
Original **Amendment** **Bill No:** SB 84
Correction **Substitute**

Sponsor: Sen. Steinborn **Agency Name and Code** Office of Natural Resources Trustee
Short Title Reclamation of Abandoned Sites **Number:** 66800
Person Writing Maggie Hart Stebbins
Phone: 505-231-7542 **Email** Maggie.hartstebbins@

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	5,000.0	Non-recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(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:

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

SB 84 appropriates \$5,000,000 from the General Fund to the department of the environment for expenditure in fiscal year 2025 and subsequent fiscal years for the assessment, remediation, or reclamation of orphaned or abandoned sites. Any unexpended or unencumbered balance remaining at the end of a fiscal year will not revert to the General Fund.

Synopsis:

FISCAL IMPLICATIONS

No fiscal impact on the Office of the Natural Resources Trustee (ONRT)

SIGNIFICANT ISSUES

The assessment, remediation, or reclamation work funded by SB 84 will not duplicate the work of ONRT. ONRT is authorized to bring Natural Resource Damage (NRD) claims for injuries to natural resources caused by the release of hazardous substances or oil into the environment. ONRT identifies the entities responsible for the contamination - “potentially responsible parties” (PRPs) – and either settles with or litigates against PRPs to restore injured natural resources to their pre-contamination condition. ONRT initiates NRD claims only when a viable PRP exists.

SB 84 provides funding for assessment, remediation, or reclamation of sites where no viable PRP exists and sites that are not under a federal, state, tribal, or voluntary cleanup program.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SB84 is not enacted, fewer abandoned sites will be assessed, remediated, and/or reclaimed.

AMENDMENTS