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FISCAL IMPACT REPORT

SPONSOR:	Griego	DATE TYPED:	02/11/00	HB	
SHORT TITLE:	Guadalupe Hidalgo Treaty Department			SB	379/aSJC
				ANALYST:	Valdes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
	\$ 100.0	See Narrative		Non-recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates to HB 156

SOURCES OF INFORMATION

Attorney General

LFC files

SUMMARY

Synopsis of Senate Judiciary Committee Amendment

This only purpose of this amendment is to change the establishment of the Guadalupe Hidalgo "Department" to "Division" within the Office of the Attorney General. This is an appropriate reclassification for a new function within the agency budget.

Synopsis of Bill

This bill would create the Guadalupe Hidalgo Department within the Office of the Attorney General to study concerns relating to the Treaty of Guadalupe Hidalgo and report findings to the 2001 Legislature.

Significant Issues

According to the Attorney General's office, various disputes over legal ownership of real property within Spanish and Mexican land grants have never been fully resolved. This bill is an attempt to have an evaluation of the scope of claims and controversies conducted by the Attorney General.

In addition, the Guadalupe Hidalgo Department would review current controversies regarding the New Mexico Constitutional protections concerning the "...rights, privileges and immunities, civil, political and religious guaranteed to the people of New Mexico by the Treaty of Guadalupe Hidalgo...".

FISCAL IMPLICATIONS

This bill would appropriate \$100.0 from the general fund to the Attorney General in FY01 for a one-year study of the issues and concerns of New Mexico residents related to the Treaty of Guadalupe Hidalgo.

Based on the information below, this amount may not be sufficient to accomplish the purposes of the bill.

ADMINISTRATIVE IMPLICATIONS

The Attorney General will have one year to complete an evaluation and report to the legislature on the review of this issue. The appropriation will be used to provide additional personnel and resources to the agency to evaluate and address difficult land grant controversies which continue. The appropriation would cover the expense of one attorney with some additional money for staff and materials. Appropriate experts may need to be employed to determine the history, origin, chain of title, current location, ownership and dispositions of specific land grants. These investigations will require professional service contracts, travel, research and copy expenses which may be large.

This appropriation would fund temporary staff or contractual services within the agency to perform the study and prepare a final report to the 2001 Legislature.

TECHNICAL ISSUES

The last word on page 2, line 7 has a quotation mark that should be deleted.

OTHER SUBSTANTIVE ISSUES

The Attorney General states that the resolution of disputes concerning real property originating from Spanish and Mexican land grants is very difficult and expensive for private individuals to undertake. There are substantial problems inherent in these issues, including the length of time which these controversies have continued. It should not be expected that passage of this bill would solve the controversies; however, passage of this bill may result in an important definition of the scope of the land grant controversies and suggest possible solutions.

MFV/gm/njw