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FISCAL IMPACT REPORT

ORIGINAL DATE 2/7/06

SPONSOR Swisstack LAST UPDATED _____ HB HJM 52

SHORT TITLE Study Eminent Domain Issue SB _____

ANALYST Medina

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 27, HB 746, SB 231, SB 702, HJR 7, SJR 1, SJR 4

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of HJM

House Joint Memorial 52 requests that the Legislative Council direct an interim committee to study and review all relevant New Mexico eminent domain statutes and hold hearings that include testimony from all interested parties regarding the eminent domain issue including local government representatives, the New Mexico Municipal League, the New Mexico Association of Counties and private property rights advocates. The Joint Memorial further directs the interim committee to make recommendations by September 2006 to the Legislative Council on possible legislative solutions for the 2007 Legislative Session.

SIGNIFICANT ISSUES

The U.S. Supreme Court decision in the *Kelo et al. v. City of New London et al.* case has generated significant debate regarding the issue of eminent domain, powers of local governments and municipalities and private property rights. Several pieces of legislation introduced in the current legislative session relate to the issue of eminent domain.

DXM/yr