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## FISCAL IMPACT REPORT

ORIGINAL DATE 01/25/11

SPONSOR Stewart LAST UPDATED 02/22/11 HB 5/aHHGAC

SHORT TITLE Department of Game and Fish Appropriation Act SB \_\_\_\_\_

ANALYST Weber/Hoffmann

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$9,073.7	Recurring	Federal Funds
	\$29,567.6	Recurring	Other State Funds

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates Appropriation in the General Appropriation Act, Section 4 for the Department of Game and Fish.

### SOURCES OF INFORMATION

*Report of the Legislative Finance Committee to the Fiftieth Legislature ,First Session, January 2011 for Fiscal Year 2012, Volume II, pp. 185 – 189.*

Responses Received From  
Department of Game and Fish

### SUMMARY

#### Synopsis of HHGAC Amendment

The House Health and Government Affairs Committee amendment adds \$1,684.3 to the adjusted OPBUD. Approximately 85% of the increase is for personal services and employee benefits. The use of fund balance is eliminated and replaced with federal and other state revenues.

#### Synopsis of Original Bill

House Bill 5 contains the FY 2012 Operating Budget appropriation for the Department of Game and Fish. It appropriates money for six budgeted funds under the jurisdiction of the State Game Commission and the Department. The amounts contained in this bill represent the Legislative Finance Committee recommendation and generally maintain funding levels contained in the agency FY12 base budget request.

## FISCAL IMPLICATIONS

The recommendation is \$2 million lower than the agency request. However, the request included \$500 thousand of expansion items so the base difference is only \$1.5 million. The agency request included a vacancy rate of 0 percent compared with the actual of approximately 14 percent in recent years. The recommendation includes a vacancy rate of 7 percent or cost reductions totaling \$1.49 million, essentially the entire reduction from the agency request. Overall, the FY12 program recommendations represent the following adjustments relative to the agency's FY12 base budget request:

- Sport Hunting and Fishing Program (P716), the amounts contained in the bill represent a decrease of \$926.7 thousand from the FY12 request with no change in FTE;
- Conservation Services Program (P717), the amounts contained in the bill represent a decrease of \$204.9 thousand from the FY12 request with no change in FTE;
- Wildlife Depredation and Nuisance Abatement Program (P718), the amounts contained in the bill represent no change from the FY12 request no reduction in FTE; and
- Administration Program (P719), the amounts contained in the bill represent a decrease of \$370.3 thousand from the FY12 request with the no reduction in FTE.

The legislation includes no expansion recommendations and no General Fund appropriation.

## SIGNIFICANT ISSUES

None noted by the agency.

## PERFORMANCE IMPLICATIONS

The legislation reflects performance measures requested by the Department for FY2012. There is a correlation between the program appropriations and the ability of the agency to meet the performance target levels outlined in its performance measures listed below.

*Sport Hunting and Fishing Program* – The target levels for the performance measures in this program reflect the agency's FY12 request.

- Number of days of elk hunting opportunity provided to New Mexico resident hunters on an annual basis remains at 165,000, the same level as FY11.
- Percent of public hunting licenses drawn by New Mexico hunters remain at 80%, the same level as FY11.
- Annual output of fish from the Department's hatchery system, in pounds remain at 455,000, the same level as FY11.
- Percent of anglers satisfied with opportunity and success remain at 80%, the same level as FY11.
- Acres of accessible sportsperson opportunity through the open gate program remain at 60,000, the same level as FY11.

*Conservation Services Program* – The performance measures for Conservation Services that are included in this recommendation are as follows:

- Number of state threatened and endangered species studied and conserved through

recovery planning and the comprehensive wildlife conservation strategy for New Mexico remain at 35, the same level as FY11.

- Number of acres of wildlife habitat conserved, enhanced or positively affected statewide remain at 100,000, the same level as FY11.
- Number of recreational days of access provided by the gaining access into nature project remain at 10,000, the same level as FY11.

*Wildlife Depredation and Nuisance Abatement Program* – The performance measure for this program is as follows:

- Percent of depredation complaints resolved within the mandated one-year time frame remain at 95%, the same level as FY11.
- Number of education publications distributed with a message about minimizing potentially dangerous encounters with wildlife is targeted at 250,000

### **ADMINISTRATIVE IMPLICATIONS**

The bill decreases permanent FTE count by 3.00, one FTE each in the Conservation Services Program, Wildlife Depredation and Nuisance Abatement Program and the Administration Program. The following sections summarize the fiscal impact of this recommendation to each of the Department's Programs:

*Sport Hunting and Fishing Program* – The appropriation proposed for this program is \$20,429.6. It supports 200.5 FTE with the Salaries and Benefits (200 category) amount being \$12,400.1, Contractual Services (300 category) being \$1,263.1, Other Services (400 category) being \$6,269.1 and Operating Transfers (500 category) being \$497.3.

*Conservation Services Program* – The appropriation proposed for this program is \$7,603.8. It supports 40.5 FTE with Salaries and Benefits (200 category) being \$2,410.9, Contractual Services (300 category) being \$1,865.4, and Other Services (400 category) being \$3,327.5.

*Wildlife Depredation and Nuisance Abatement Program* – The appropriation proposed for this program is \$1,055.8. It supports 4.0 FTE with Salaries and Benefits (200 category) being \$285.8, Contractual Services (300 category) being \$130.7, and Other Services (400 category) being \$639.3.

*Administration Program* – The appropriation proposed for this program is \$7867.8. It supports 60.0 FTE with Salaries and Benefits (200 category) being \$4,033.7, Contractual Services (300 category) being \$693.2, and Other Services (400 category) being \$3,160.9.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

As part of the state's overall appropriation, this bill will be incorporated into the General Appropriation Act (House Bill 2).

### **TECHNICAL ISSUES**

The bill as written has an error on line 25 of page 4, showing an appropriation of \$639.3 from "Internal Svc.Funds/Interagency Transfer" in the "Other" category for the wildlife depredation and nuisance abatement program.

The bill should be amended to show that this amount would be appropriated from “Federal Funds.”

**OTHER SUBSTANTIVE ISSUES**

None noted by the agency.

**ALTERNATIVES**

Adoption of the Executive recommendation.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Unless a duplicate appropriations act provides for a FY 2012 Operating Budget for the Department of Game and Fish, the Department will not have a budget for fiscal year 2012 to meet its statutory mandates.

**AMENDMENTS**

None noted by the agency.

BW/bym:svb