

LFC Requester: _____

**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 1/24/24

Bill No: SB 160

Sponsor: A. Maestas
Short Title: Restore Rio Grande Valley State Park

Agency Name and Code Number: Department of Finance and Administration - 341

Person Writing: Maureen Ayers
Phone: 505-470-0977 Email: Maureen.Ayers@dfa.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	20,000.0	Nonrecurring	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						General Fund

(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

Senate Bill 160 (SB160) appropriates \$20 million from the general fund to the Local Government Division (LGD) of the Department of Finance and Administration to the City of Albuquerque for the restoration of the Rio Grande Valley State Park. The effective date of the bill is July 1, 2025, and unused funds at the end of a fiscal year shall not revert to the general fund. The reversion date is not stated.

The SCC Committee found SB 160 to be germane for the 30-day session with a vote of 6 to 0 and was referred to the Conservation Committee for review.

FISCAL IMPLICATIONS

SB160 appropriates \$20 million is a non-recurring expense from the general fund to be used in fiscal year 2025 and subsequent fiscal years. Any unexpended or unencumbered balance remaining at the end of a fiscal year will not revert to the general fund. As this bill does not have a reversion date it is assumed that the appropriation will remain available until all funds have been expended.

The proposed legislation does not stipulate an effective date and, as a result, SB 160 would go into effect on May 15, 2024, if enacted

SIGNIFICANT ISSUES

The current language of “restoration” of the State Park is vague and the intent is unclear, so it is suggested that more specific language be added to clarify the intent and use of funds. Also, the reversion date is not stated, which is difficult to budget and administer the appropriation without a defined timeline of completion.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

The Local Government Division of the Department of Finance and Administration is experienced in providing grants awards—emergency rental assistance, law enforcement grants, etc.—fiscal and budgetary technical assistance as well as distributing funds to local entities. If the legislative intent is to carry out environmental projects, the New Mexico Environment Department (NMED) would be the appropriate agency to implement such projects. .

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

On line 19 the word “restore” may be replaced with “plan, design, construct, renovate, equip and improve the eco-system of the park, river and habitats, to enhance the quality of life for the public and endangered species,” to clarify the use of funds.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Not enacting this bill will result in:

- the loss of matching funds from the Corps of Engineers and other federal agencies,
- fire hazard and flooding conditions will degrade further,
- endangered species and habitats will degrade further,
- public access to the river and park will not be improved.

AMENDMENTS