

LFC Requester:

Emily Hilla

**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:

Original **Amendment**
Substitute

Date Jan. 30, 2024

Bill No: SB 213

Sponsor: Sen. Crystal R. Diamond
Short Title: BLACK FIRE RECOVERY REPORTING

Agency Name and Code 539 – State Land Office
Number: _____
Person Writing Sunalei Stewart
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
None	\$1 Million	FY25-FY27	General Fund

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
No Fiscal Impact	No Fiscal Impact	No Fiscal Impact		

(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	No Fiscal Impact	No Fiscal Impact	No Fiscal Impact			

(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

Synopsis:

This bill would direct the local government division of the Department of Finance and Administration to work with local governmental entities and federal agencies to provide a report to the LFC and the governor regarding efforts by the state for damage caused by the Black fire, including the actions taken, the cost of those actions, projections of remaining fire recovery needs.

The bill would appropriate \$1 million from the General Fund to DFA for expenditure in FY2025 through FY2027 for Black fire recovery efforts; provided that up to \$50,000 of the appropriated funds may be used for staff and related administration costs for the efforts. Any unexpended or unencumbered balance remaining at the end of FY2027 would revert to the General Fund.

FISCAL IMPLICATIONS

The bill is not expected to have any significant fiscal impacts for NMSLO.

SIGNIFICANT ISSUES

The 2022 Black Fire burned over 325,000 acres in the northern Black Range in Sierra County, Catron County, and Grant County, Northeast of Silver City. The New Mexico State Land Office (NMSLO) estimates that only approximately 400 of the burned acres were state trust lands, and those effects were of “low” or “unburned” severity.

This fire impacted rural populations during a year that was overshadowed by the Hermit’s Peak/Calf Canyon Fire. The ranching community, including those whose acreage includes state trust land, suffered from the detrimental impacts resulting from high severity fire and subsequent flooding. These impacts include roads that continue to be impassable, fences that need repair, and on-going watershed concerns such as erosion and sedimentation. Funding would help accelerate recovery for these rural populations.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

There are minimal administrative implications for NMSLO, depending on whether NMSLO is

provided any funds or recovery efforts as a landowner, and is asked for information for reporting purposes.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

It may be appropriate to include state agencies (including NMSLO) in the list of cooperating entities, which would involve amending the language of Section 1 to read:

...the local government division of the department of finance and administration shall work with local governmental entities and state and federal agencies to provide a report...

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Limited areas of state trust lands were affected by the Black Fire, and those that were affected are not understood to be significantly affected. Therefore, the absence of recovery effort funds and reporting would not have significant consequences for NMSLO.

AMENDMENTS

As suggested above, amending Section 1 to read: "...the local government division of the department of finance and administration shall work with local governmental entities and state and federal agencies to provide a report..."