

LFC Requester:	Anne Hanika-Ortiz
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**AGENCY BILL ANALYSIS
2019 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

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 1/25/19
Bill No: HB 334

Sponsor: Reps. S. Herrera, R. Gonzales
Short Title: Rural Water System Clean Water Pilot Project

Agency Code: 305–Office of the Attorney General
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General Opinion nor an Attorney General Advisory Letter. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the Office of the Attorney General.

BILL SUMMARY

Synopsis: HB 334 appropriates \$900,000 from the general fund to the Office of the State Engineer to use in fiscal years 2020 through 2022 for contracting with “a statewide organization that has served rural water associations for more than ten years and has a track record of helping entities obtain funding from the water trust board to implement a three-year clean drinking water pilot project in northern New Mexico, including the counties of Rio Arriba, Taos, Colfax, Union, Mora, Harding, Los Alamos, Sandoval and Santa Fe, to provide technical assistance to rural and mutual domestic water systems with regard to operational, financial or managerial issues, including assistance with audits, engineering plans, legal plans or financial plans.” It reverts any balance remaining at the end of fiscal year 2022 to the general fund.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

N/A

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

As written, the bill seems oddly vague. For example, “a statewide organization that has served

rural water associations for more than ten years and has a track record of helping entities obtain funding from the water trust board” seems to describe a specific known entity—perhaps the New Mexico Acequia Association or the New Mexico Rural Water Association—but no specific recipient of the funds is identified. Similarly, “a three-year clean drinking water pilot project in northern New Mexico, including the counties of Rio Arriba, Taos, Colfax, Union, Mora, Harding, Los Alamos, Sandoval and Santa Fe” seems specific enough that it may already exist, but no project is identified.

However, even if the bill seeks to favor a specific organization and a specific project, the Water Trust Board is statutorily charged with prioritizing proposed water projects and vetting funding recipients under NMSA 1978, §§ 72-4A-5, 72-4A-7 and its regulations. *See* 19.25.10 NMAC. The bill does not appear to conflict with these statutes and regulations.

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A