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FISCAL IMPACT REPORT

ORIGINAL DATE 03/19/09

SPONSOR Salazar LAST UPDATED _____ HM 129

SHORT TITLE Legislative Subcommittee On Acequias SB _____

ANALYST Aubel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$2.8 to \$3.2	\$2.8 to \$3.2	\$5.6 to 6.4	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

SUMMARY

Synopsis of Bill

House Memorial 129 requests the Legislative Council appoint an interim committee on acequias composed of members from the following interim committees: Legislative Water and Natural Resources Committee (WNRC), the Legislative Rural and Economic Development Committee (REDC), the Legislative Education Study Committee and the Legislative Finance Committee.

FISCAL IMPLICATIONS

Legislative Council Services provides staff for interim committees other than the LFC and LESC. Funding for interim committees comes from both House Bill 1 and House Bill 2. The cost will depend on various factors, including the size of the committee, where the members are traveling from in the state, the composition between voting and advisory members, and the number of times the subcommittee meets. Using an average of actual FY09 cost per member of \$1,694 for the REDC and an average cost of \$1,904 per member for WNRC, the estimated cost for this proposed subcommittee ranges from \$2.8 thousand to \$3.2 thousand. The estimate assumes that a five-member subcommittee would meet two times. The fiscal impact to the LCS operating budget is considered recurring as this would most likely be an ongoing assignment.

SIGNIFICANT ISSUES

Wikipedia defines an acequia (ə-sā'kē-ə) as “a community operated waterway used in Spain and former Spanish colonies in the Americas for irrigation.” According to *A Review Of The Historic Significance Of And Management Recommendations For Preserving New Mexico's Acequia Systems*, the first acequia in New Mexico was constructed by a small expedition under the command of Oñate on the west bank of the Rio Grande north of the Rio Chama in 1558. Many acequias continue to provide a primary source of water for farming and ranching ventures in New Mexico.

“Known among water users simply as *the Acequia*, various legal entities embody the community associations, or acequia associations, that govern members' water usage, depending on local precedents and tradition. An acequia organization often includes "ditch riders" and a “mayordomo” who administers usage of water from a ditch, regulating which holders of water rights can release water to their fields on which days.”

Various organizations are involved with preserving and administering acequias. For example, the New Mexico Acequia Commission is comprised of a group of local acequia members appointed by the Governor to advise the state on matters affecting the acequia and ditch associations throughout New Mexico.

The Department of Finance and Administration also receives an appropriation for the New Mexico Acequia Association, which notes its mission “is to sustain our way of life by protecting water as a community resource and strengthening the farming and ranching traditions of our families and communities.”

According to the memorial, acequias face tremendous challenges. For example, the Office of Engineer notes on its website that “many acequias are in litigation for deciding water rights in their areas.”

This memorial would bring several interim committee members together on a subcommittee to develop policy recommendations with the New Mexico Acequia Association. The memorial requires the subcommittee present the recommendations to the appropriate interim legislative committees by December 1, 2009.

ADMINISTRATIVE IMPLICATIONS

The bill does not stipulate the number of committee members or advisory members. LCS would need to staff the hearings.

MA/svb