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## FISCAL IMPACT REPORT

SPONSOR Romero ORIGINAL DATE 2/16/15  
LAST UPDATED \_\_\_\_\_ HB 331

SHORT TITLE Abq-Bernalillo Water Authority Board Election SB \_\_\_\_\_

ANALYST Armstrong

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
	NFI		

### SOURCES OF INFORMATION

LFC Files

#### Responses Not Received From

Attorney General's Office (AGO)

Public Regulation Commission (PRC)

### SUMMARY

#### Synopsis of Bill

House Bill 331 amends Section 72-1-10 NMSA 1978, to provide that the board of directors of the Albuquerque-Bernalillo County Water Utility Authority (ABCWUA) shall be elected, beginning with the general election of 2016. Under HB 331, the existing board would serve until January 15, 2017. The bill reduces the board membership from seven to five, with the elected directors representing the same five districts as Bernalillo County Commissioners. Elected members of the board serve staggered four-year terms that begin on January 1 of the year following the directors' election. The board elected in 2016 will determine among themselves which three of the five directors serve for terms of four years and which two directors serve two year terms. Subsequently, all directors serve four-year terms. Directors are entitled to receive per diem and mileage in accordance with the provisions of the Per Diem and Mileage Act.

### FISCAL IMPLICATIONS

No fiscal impact.

**SIGNIFICANT ISSUES**

Currently the membership of the Board of Directors of the ABCWUA consists of seven members representing both the city and the county. The municipal members are mayor and three city councilors appointed by the Albuquerque City Council. The county members are three county commissioners appointed by the Bernalillo County Board of County Commissioners. A city councilor member designates another city councilor to serve in the member's absence. A county commissioner member designates another county commissioner to serve in that member's absence. The mayor designates the chief executive officer of the municipality, a city councilor or a county commissioner to serve in the mayor's absence. City councilors serve one-year terms at the city council president's discretion. County commissioners shall serve one-year terms at the county commission chair's discretion.

In statute there are two other similar authorized organizations, the Lower Rio Grande Water Authority (LRGWA), 73-26-1 NMSA 1978 and the Eastern New Mexico Water Authority (ENMWA), 73-27-1 through 73-27-19 NMSA 1978. LRGWA directors are elected and the ENMWA directors are appointed by local government entities.

JA/je