

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website ([www.nmlegis.gov](http://www.nmlegis.gov)) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

SPONSOR Shendo ORIGINAL DATE 2/15/15  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Southern Pueblo Route 85 Bridge SB 515

ANALYST Jorgensen

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
	\$2,800.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Department of Transportation (NMDOT)

### SUMMARY

#### Synopsis of Bill

Senate Bill 515 appropriates \$2.8 million from the general fund to NMDOT to construct a bridge on Southern Pueblo Route 85 (“IRR 85”) spanning Peralta Creek. Funds are to be expended between fiscal years 2016 and 2021.

### FISCAL IMPLICATIONS

The appropriation of \$2.8 million contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY21 shall revert to the general fund.

### SIGNIFICANT ISSUES

SB 515 provides funding to NMDOT to construct a bridge on IRR 85. IRR 85 is under the jurisdiction of the U.S. Bureau of Indian Affairs (“BIA”) as an Indian Reservation Roadway and is not on NMDOT’s roadway or bridge inventory. NMDOT does not provide bridge load rating or any other technical services for the bridge or IRR 85. The bridge currently has a design that was prepared by the U.S. Department of Transportation – Federal Highway Administration (FHWA) Central Federal Lands Office, which will also provides construction management services.

The appropriation and assignment of construction responsibility to NMDOT impacts a change with respect to the Pueblo and BIA's asset maintenance responsibilities, by shifting that responsibility to NMDOT. This would set a precedent that could likely be repeated with other local governments.

**ADMINISTRATIVE IMPLICATIONS**

NMDOT Administrative Directive No. 202 directs that NMDOT may assist local governments provided NMDOT resources are being used to address an emergency and that doing so does not affect NMDOT's ability to carry out its statutory obligations.

**TECHNICAL ISSUES**

NMDOT states that it is neither equipped nor staffed to provide bidding or construction services for roads that are not under its jurisdiction.

CJ/aml/je