

NOTE: As provided in LFC policy, this report is intended for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version, excluding attachments, is available on the Intranet. Previously issued FIRs and attachments may be obtained from the LFC office in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR: Cisneros DATE TYPED: 02/5/01 HB _____
 SHORT TITLE: Taos Valley Errors & Omissions Process SB 57/aSCONC
 ANALYST: Dotson

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 60.0			Non-Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 56 and 57

SOURCES OF INFORMATION

Office of the State Engineer

SUMMARY

Synopsis of SCONC Amendment

The Senate Conservation Committee Amendment changes the purpose of the appropriation to include Rio Santa Cruz-Rio Truchas, Rio Chama and Rio Pueblo de Taos-Rio Hondo stream systems.

Synopsis of Original Bill

SB 57 appropriates \$60,000 from the general fund to the local government division of the Department of Finance and Administration for the purpose of identifying errors and omissions in the Rio Pueblo de Taos water adjudication lawsuit.

Significant Issues of SCONC Amendment

The concerns of the State Engineer regarding the possible over funding will be decreased due to the additional water systems which could access the appropriations.

Significant Issues

According to the State Engineer, the level of funding for the participation of acequias in ongoing water adjudication suits in Northern New Mexico may be excess of present needs. The 2000 legislature appropriated \$650,000 for the Acequia and Community Ditch Fund (ACDF). During the distribution of these funds to applicant acequias, it was reported by the staff of the New Mexico Department of Agriculture (the body who administers the fund) that 8 applicant acequias had a total balance of approximately \$380,000 from previous appropriations remaining in their accounts. Much of these funds were not encumbered by the acequias who in

Senate Bill 57/aSCONC -- Page 2

some cases had no specific plans for their use. Actual litigation activity in ongoing water adjudication suits in Northern New Mexico is very uneven. While there is much work to be done, budgetary and manpower constraints within the Office of State Engineer limit the ability of the agency to advance these suits.

FISCAL IMPLICATIONS

The appropriation of \$60,000 contained in this bill is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY02 shall revert to the general fund.

PD/njw