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## FISCAL IMPACT REPORT

ORIGINAL DATE 2-23-07

SPONSOR J. Campos LAST UPDATED \_\_\_\_\_ HB 1208

SHORT TITLE Irrigation District Board Memberships SB \_\_\_\_\_

ANALYST Woods

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Office of the State Engineer (OSE)

No Response Received From  
Office of the Attorney General (AGO)  
New Mexico Association of Counties

### SUMMARY

#### Synopsis of Bill

House Bill 1208 seeks to amend section 73-10-5 NMSA by adding a header to the section, putting in letters to break out the major topics and a few minor grammatical changes. OSE notes that this legislation does not substantially change the existing language other than in two sections. The first is on line 8 of page 2 where the words “in all” are removed, and the last phrase of the bill, which allows districts composed of less than twenty-five thousand acres to vote to increase the number of directors and divisions of the district to five as opposed to the standard three. There is no appropriation attached to this legislation.

### SIGNIFICANT ISSUES

OSE indicates that, with regard to the section mentioned above, where the words “in all” were stricken, there is an added layer of ambiguity in the language in that now it is unclear how long the directors can adjourn an examination. The existing language says that the directors may

adjourn an examination from time to time, not exceeding three weeks in all”. The words in all put a restriction on the total length of time the commissioners could be in adjournment. With the words “in all” being taken out it appears that the directors can adjourn from time to time, for up to three weeks at a time with no restrictions.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

OSE suggests that if this bill is not enacted, the irrigation districts, which are made up of twenty-five thousand acres or less, will be limited to three directors and divisions.

BFW/mt