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FISCAL IMPACT REPORT

ORIGINAL DATE 02/22/13
 SPONSOR HVEC LAST UPDATED 02/28/13 HB 473/HVECS
 SHORT TITLE Abq/Bernalillo Water Authority Board SB _____
 ANALYST Weber

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY13 | FY14 | FY15 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|------|------|------|----------------------|------------------------------|------------------|
| Total | | NFI | | | | |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

The House Voters and Elections Committee substitute of House Bill 473 amends Section 72-1-10 to: (1) change the composition of the board of directors and the number of directors of the Albuquerque Bernalillo County Water Utility Authority. The provisions affecting the board of directors would become effective on January 15, 2015,

Following the general election of 2014, the Water Utility board of directors is changed to consist of five directors elected from the same five districts as the Bernalillo County Board of County Commissioners. Each director must reside within the district from which that director is elected. The elected board of directors serves staggered four-year terms that begin on January 1 of the year following the directors' election. If the members are elected in 2014, then by lot, three district directors serve for terms of four years and two district 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 implications.

SIGNIFICANT ISSUES

Currently the membership of the Board of Directors of the Water Authority consists of seven members. 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.

While the current process does not elect directors specifically for the Water Authority board, all are elected officials representing substantially the same districts as the new method proposes.

TECHNICAL ISSUES

There does not appear to be a process to nominate candidates in future elections.

MW/blm:svb