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FISCAL IMPACT REPORT

ORIGINAL DATE 02/04/14

SPONSOR McSorley LAST UPDATED _____ HB _____

SHORT TITLE Study Albuquerque-Bernalillo Water Authority SM 28

ANALYST Armstrong

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY14	FY15	FY16	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Unknown				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Office of the State Engineer (OSE)

New Mexico Environment Department (NMED)

SUMMARY

Synopsis of Bill

Senate Memorial 28 requests that the Legislative Council convene a task force to study the ability of the Albuquerque-Bernalillo County Water Utility Authority (ABCWUA) to accomplish its required duties and responsibilities, to identify alternative approaches to the composition of the board of directors of the authority, collect data and recommend strategies that will strengthen the ability of the water authority to meet the current and future water utility needs of the region, and to report its findings to the appropriate interim legislative committee by November 1, 2014.

SM 28 resolves that the task force meetings be advertised in a newspaper of general circulation, open to the public, and held at times and places that shall encourage public participation. The memorial also specifies the task force's composition as follows:

- A. one Bernalillo County Republican and one Democratic member of the House of Representatives chosen by their respective floor leaders;
- B. one Bernalillo County Republican and one Democratic member of the Senate chosen by their respective floor leaders;
- C. one Bernalillo County Commission Member of ABCWUA's board of directors;
- D. one Albuquerque City Council member of ABCWUA's board of directors;
- E. the chair or vice chair of the water resources board of the Mid-Region Council of Governments;

- F. one from the League of Women Voters;
- G. one from an environmental organization;
- H. one from the Southwest Organizing Project;
- I. one from the New Mexico chapter of NAIOP;
- J. one from the board of directors of the Middle Rio Grande Water Assembly;
- K. one from the Ciudad soil and water conservation district;
- L. one from the Bernalillo County Farm Bureau;
- M. one from the Albuquerque Metropolitan Arroyo Flood Authority;
- N. one from the South Valley Acequia Association;
- O. one from the Middle Rio Grande Conservancy District;
- P. one from the Home Builder's Association of Central New Mexico;
- Q. one from the MS4 Stormwater group;
- R. one from the Albuquerque Economic Forum;
- S. one from the Middle Rio Grande Endangered Species Act Collaborative Program;
- T. one from the water resources program at the University of New Mexico;
- U. two representing the South Valley coalition of neighborhood associations, the West Side coalition of neighborhood associations, the Southwest Alliance of Neighbors and the North Valley coalition;
- V. two representing the East Gateway coalition of neighborhood associations, and the coalition of neighborhood associations, Districts 4, 6, 7, and 8; and
- W. the executive director of the Albuquerque-Bernalillo water utility authority who shall serve on the task force ex officio.

The task force shall elect one of its members as chair and meet at the call of the chair, but no fewer than three times.

FISCAL IMPLICATIONS

SM 28 requires that meetings be advertised in a newspaper and that task force members meet and collect information and report findings. This will require a budget or funds to be expended. SM 28 does not appropriate any funds for this task.

SIGNIFICANT ISSUES

SM 28 notes that the Albuquerque-Bernalillo County Water Utility Authority was created in 2003 to make policy decisions about water and sewer usage, set water and sewage rates, and establish drought restrictions and other water regulations and ordinances. The Authority is currently composed of the mayor of Albuquerque, 3 city councilors and 3 county commissioners.

SM 28 points to a number of concerns regarding the Authority:

- It is unclear whether the regulations and ordinances have the authority of law given that local elected governing councils have sole authority over land use and private property matters;
- The duties of the authority are complex and time consuming and may exceed the abilities of and the time available to members of the Albuquerque city council and the Bernalillo county commission and limit their effectiveness in accomplishing the other duties and responsibilities that are required of them; and

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- The regional water plan for the middle Rio Grande identified an existing gap between regional water supply and demand that is expected to grow without focused and intensive actions to stop it. Additionally, concerns have been raised as to the testing and treating of drinking water, as well as the handling of the jet fuel spill originating at Kirtland Air Force Base.

JA/svb