LFC Requester:	Joseph Simon
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# AGENCY BILL ANALYSIS 2024 REGULAR SESSION

# **SECTION I: GENERAL INFORMATION**

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:		Date Pre	Date Prepared:			
Original	X	Amendment	I	Bill No:		
Correction		Substitute				
Sponsor:	Galleg McCut	E. Brown, Sen. D. os, Sen. S. scheon, Rep. J. Rep. R. Pettigrew	Agency Name and Code Number:		New Mexico ment of Justice	
Short Title:	DOT &	EDDY COUNTY ROADWAY EMENT	Person Writing	505-53		
-	AGREEMENT		Email:	legisfir	egisfir@nmag.gov	

# **SECTION II: FISCAL IMPACT**

# APPROPRIATION (dollars in thousands)

Appropriation		Recurring	Fund	
FY24	FY25	or Nonrecurring	Affected	

(Parenthesis ( ) Indicate Expenditure Decreases)

## **REVENUE** (dollars in thousands)

Estimated Revenue			Recurring	Fund Affected
FY24	FY25	FY26	or Nonrecurring	Affected

(Parenthesis ( ) Indicate Expenditure Decreases)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurri ng	Fund Affected
Total						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Duplicates/Relates to Appropriation in the General Appropriation Act

#### **SECTION III: NARRATIVE**

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

#### **BILL SUMMARY**

## **Synopsis:**

House Bill ("HB") 238 would authorize the Department of Transportation ("DOT") and Eddy County to enter into a joint powers agreement for road construction, reconstruction or maintenance of state roads. Section 2 of the bill would appropriate \$30,000,000 from the general fund to the department of transportation for expenditures between 2025 and 2027 to fund construction projects governed by the joint powers agreement, and specifically for construction and maintenance on NM highway 285 east to NM highway 128.

### FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

#### **SIGNIFICANT ISSUES**

No apparent issues. If HB 238 becomes law, any joint powers agreement must be approved by the secretary of finance and administration.

## **ADMINISTRATIVE IMPLICATIONS**

N/A

#### CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 231 appropriates \$300,000,000 from the general fund to the DOT for expenditures between 2025 through 2028 for road construction, reconstruction, improvement and maintenance, specifically identifying NM highway 128 from its intersection with NM Highway 31 in Eddy county.

While these two bills don't specify precisely the same portions of highway, both do pertain to appropriations to the DOT for expenditures on road construction, reconstruction, improvement, and maintenance in Eddy county. They are not in conflict.

But subjecting only part of a road construction project to oversight through a JPA may increase administrative complexity that would be avoided by consolidating the appropriations under DOT.

# **TECHNICAL ISSUES**

N/A

# OTHER SUBSTANTIVE ISSUES

N/A

# **ALTERNATIVES**

N/A

# WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

# **AMENDMENTS**

N/A