

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website ([www.nmlegis.gov](http://www.nmlegis.gov)) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

## FISCAL IMPACT REPORT

SPONSOR Baca ORIGINAL DATE 2/22/19  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Flood Control Projects in Valencia County SB 100

ANALYST Jorgensen

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
\$1,700.0		Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

Responses Received From

### SUMMARY

#### Synopsis of Bill

Senate Bill 100 appropriates \$1.7 million from the general fund to the Department of Transportation (DOT) for the purpose of flood control projects in Valencia County, on the west side of the city of Belen.

### FISCAL IMPLICATIONS

The appropriation of \$1.7 million contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2021 shall revert to the general fund.

DOT notes that “although SB 100 provides funding for the initial planning, design and construction of the proposed flood control projects, it neither addresses funding for continued maintenance and operation of the projects, nor identifies which particular agency will provide said maintenance and operation.”

### SIGNIFICANT ISSUES

The proposed work area is not located in DOT rights-of-way, and DOT would not be willing to maintain the subject ponds.

DOT reports that the agency “does not develop flood control projects because they are generally located away from DOT roadways and outside right-of-way facilities...[and the city of] Belen will be the agency to develop the flood control project; therefore, the funding should be directed to Belen rather than DOT.”

CJ/al