



	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(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