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FISCAL IMPACT REPORT

ORIGINAL DATE 01/25/13

SPONSOR Cote LAST UPDATED _____ HB 94

SHORT TITLE Water Use Planning Period SB _____

ANALYST McCoy

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY13	FY14		
	FYI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Office of the State Engineer (OSE)

SUMMARY

Synopsis of Bill

House Bill 94 (HB94) would modify the phrase “public utilities supplying water to municipalities or counties” in three places within Section 72-1-9 NMSA 1978 by inserting the phrase “customers within” before “municipalities or counties.”

FISCAL IMPLICATIONS

No fiscal impact.

SIGNIFICANT ISSUES

The Office of the State Engineer notes, HB94 would expand the number of “public utilities” that are entitled to use the forty-year water use planning period provided in Subsection B of Section 72-1-9 NMSA 0978. Currently, under the existing statutory provision, only public utilities that supply water directly to municipalities or counties are entitled to a forty-year planning period. Since every New Mexico water utility serves customers within at least one of New Mexico’s counties, this bill would change Section 72-1-9 NMSA1978 to authorize all public utilities to utilize a forty-year water use planning period, even water utilities that do not provide water directly to municipalities or counties. According to the OSE, this change would provide a benefit

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to privately owned water utility companies which was originally intended only for public entities like municipalities and counties.

MTM/svb