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## FISCAL IMPACT REPORT

SPONSOR: Wilson DATE TYPED: 02/16/01 HB 574  
 SHORT TITLE: Irrigation Works Construction Fund SB \_\_\_\_\_  
 ANALYST: Dotson

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
\$ 6,000.0				Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

Office of the State Engineer.

### SUMMARY

#### Synopsis of Bill

HB 574 appropriates \$6 million from the general fund to the Irrigation Works Construction Fund to carry out the purpose of the fund. The bill contains an emergency clause.

#### Significant Issues

According to the State Engineer, the most recent stress on the Irrigation Works Construction Fund has been to provide support to ongoing litigation related to the Endangered Species Act. The Interstate Stream Commission, on behalf of the state, has enjoined the Forest Guardians law suits against the United States regarding operations of federal facilities and their effect on the Pecos bluntnose shiner and the Rio Grande silvery minnow. Without this intervention, the state would not be represented in these proceedings and the courts would not be advised of the significant constraints on water use in New Mexico.

### PERFORMANCE IMPLICATIONS

This may affect the state's ability to maintain compliance with interstate stream compacts and limit the ability to continue represent the state in the ongoing endangered species act litigation.

**FISCAL IMPLICATIONS**

The appropriation of \$6,000.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 shall revert to the general fund.

According to the State Engineer, currently 60% of the Interstate Stream Commission's budget comes from Irrigation Works Construction Fund and the Improvement of the Rio Grande Income Fund. At the current rate these substantial funds are likely to be depleted by FY 2003 and the current level of expenditures will have to be reduced.

PD/njw