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## FISCAL IMPACT REPORT

ORIGINAL DATE 2-3-09

SPONSOR Gardner LAST UPDATED \_\_\_\_\_ HB 418

SHORT TITLE Weather Modification Programs SB \_\_\_\_\_

ANALYST Woods

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
NFI	\$250.0	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Office of the State Engineer (OSE)

Department of Finance and Administration (DFA)

### SUMMARY

#### Synopsis of Bill

This legislation seeks to appropriate two hundred thousand dollars (\$250,000) from the general fund to the interstate stream commission for expenditure in fiscal year 2010 to conduct weather modification projects in Roosevelt and Lee counties in New Mexico. Any unexpended or unencumbered balance remaining at the end of fiscal year 2010 shall revert to the general fund.

### FISCAL IMPLICATIONS

It is noted that, according to the December 2008 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$293 million, or 2.6 percent, less than the FY09 appropriation. All appropriations outside of the general appropriation act will be viewed in this declining revenue context. DFA notes that, "Impact on the General Fund of \$250,000 would add to the burden of already declining resources."

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## **SIGNIFICANT ISSUES**

OSE indicates that weather modification is identified in the state water plan and most regional water plans as a desired source of new water supply and action item. During the 2003 session, HB 78 transferred administration of the Weather Control Act from N.M. Tech to ISC. In accordance with that legislation, ISC promulgated regulations for weather modification in New Mexico. Those regulations necessitate, among other requirements, daily logs, records of time and tracking of weather modification flights, records of type and amount of seeding materials, and “a narrative evaluation and *quantitative analysis* of the Operation and its effects.” The requirements are necessary to establish the benefits of weather modification activities.

OSE and DFA add that the required record-keeping and quantification of results of the proposed weather modification activities is difficult and will cost approximately \$30,000 per year. ISC is not able to grant a license to an operator unless they are able to meet these provisions. Either the appropriation should be increased by \$30,000 or the budget for the in-flight seeding portion of the program will have to be reduced by that amount.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

OSE states, “If this bill is not enacted, there will be no state support for weather modification activities in Lea and Roosevelt Counties.”

## **AMENDMENTS**

OSE suggests that, on page 1, line 16, remove the words “Two hundred fifty thousand dollars (\$250,000),” and insert “Two hundred eighty thousand dollars (\$280,000).”

BW/mt/mc