

2020 STATE LEGISLATION SUMMARY FOR ENVIRONMENTAL AND WATER RELATED

Type of Bill	Title of Bill	Sponsor	Summary	Location
HB 2	General Appropriation Act of 2020	Rep. Patricia A. Lundstrom	<p>Defines overall categorical appropriations for legislative; judicial; general control; commerce and industry; agriculture, energy and natural resources; health, hospitals and human services; public safety; transportation; other education; higher education; and public school support. Appropriates \$76.1M to EMNRD; \$39.8M to OSE & ISC (+\$0.4M from introduced); \$126.7M to NMED (+\$0.4M from introduced); \$2.5M to ONRT (+\$0.2M from introduced).</p> <p>*Note – HB 189 text, with amendments, replaced HB 2 as introduced.</p>	<p>SFC</p> <p>Passed in the House on 2/5/20 – Y:46 N:24</p>
HB 11	PRC Reorganization & Transfer Duties	Rep. Nathan P. Small Rep. Linda M. Trujillo	Amends Public Regulation Commission (PRC) Act to reorganize PRC; creates a chief of staff, office of PRC regulatory affairs and sets up organizational structure for the office of public regulation including a utility division	<p>HJC</p> <p>HENRC – Do Pass recommendation</p>
HB 27	Public Project Revolving Fund Projects	Rep. Patricia A. Lundstrom Rep. Sheryl Williams Stapleton Sen. Roberto “Bobby” J. Gonzales	Authorizes the NM Finance Authority to make loans from the public project revolving fund for public projects listed including infrastructure, water, wastewater and solid waste projects at places such as the state parks division of EMNRD and Juan Tabo Hills Estates in Bernalillo County	<p>SFC</p> <p>Passed in the House on 2/11/20 – Y:64 N:0</p> <p>HAFC – Do Pass recommendation</p>
HB 28	Division of Land for Oil or Gas Operations	Rep. Greg Nibert Rep. Cathrynn N. Brown	Amends NM Subdivision Act to define “subdivision” of lands to not include the division of land for oil or gas operations; provided the land continues to be used for oil or gas operations	HRC

HB 124	Prohibit Use of Chlorpyrifos in Agriculture	Rep. Daymon Ely	Amends Pesticide Control Act to ban any pesticide containing chlorpyrifos, an organophosphate insecticide, acaricide and miticide used to control foliage- and soil-borne pests	HRC
HB 146	Expand Biomass Income Tax Credit & Reporting	Rep. Javier Martínez	<i>Also see SB 84</i> – Extends the agricultural biomass tax credit to 2030 and adds reporting requirements for NM Tax and Revenue Department. The agricultural biomass tax credit allows dairy or feedlot owners to claim \$5/wet ton of manure transported to a facility that uses biomass to generate electricity or create fuels.	Passed in the House on 2/12/20 – Y:67 N:0 HTRC – Do Pass recommendation HAWC – Do Pass recommendation
HB 163	Community Supplemental Support Fund	Rep. Candie G. Sweetser	Amends the Department of Finance and Administration Act to create a Community Supplemental Support Fund in the state treasury. Funds are to be distributed to “eligible municipalities” including municipalities with populations between 10K-25K and municipalities with higher percentages of its population below the poverty level than the state. Appropriates \$5M in FY21	Passed in the House on 2/12/20 – Y:49 N:15 HCPAC – Do Pass recommendation (with amendments) HAFC – Do Pass recommendation
HB 165	Study Ground Water Resources in NE NM	Rep. Jack Chatfield	Appropriates \$200K from the general fund to the NMSU board of regents to study quantity and quality of groundwater in Colfax, Harding, Mora and Union counties in FY21 and FY22	HAFC HAWC – Do Pass recommendation with amendments
HB 167	Wastewater System Financing	Rep. Randal S. Crowder	Appropriates \$1.8M for FY21 from public revolving fund to wastewater facility construction loan fund to provide state matching funds for federal Clean Water Act projects	HAFC – Do Pass recommendation HAWC – Do Pass recommendation

HB 189	General Appropriation Act of 2020	Rep. Joseph L. Sanchez Rep. Patricia A. Lundstrom	<i>See HB 2 and SB 189</i> – Appropriates \$76.1M to EMNRD, \$39.4M to OSE and ISC, \$126.3M to NMED and \$2.3M to ONRT; also includes special appropriations to specific projects or programs under each department/agency.	HAFC – amended, replaced HB 2 and recommended Do Pass
HB 223	Agricultural & Natural Resources Trust Act	Rep. Nathan P. Small	<i>Also see SB 102</i> – Creates an agricultural and natural resources trust fund and trust grant fund in the State Treasury to conserve agricultural, wildlife and natural resources. Also creates a governor-appointed board of nine from each of New Mexico's USGS-defined hydrologic regions to manage trust funds. An "Office of the Agricultural and Natural Resources Trust" will also be created and administratively attached to the office of the governor; the appointed board will select a director. The bill defines terms, powers and purposes of the board and director, eligibility conditions for grant applications and terms for conservation easements established with trust funds. \$150M is proposed from the general fund to the Ag and Natural Resources trust fund in FY21 and \$200K from the general fund for administrative purposes	HEENC
HB 248	Water Association Infrastructure Act	Rep. Susan K. Herrera	<i>Also see SB 234</i> – Creates a Water Association Infrastructure Board with seven members: Secretary of Finance, Secretary of Environment, Chief Executive Officer of the NM Finance Authority, and appointees of president/speaker and minority leads from NM House and NM Senate. Board recommends water infrastructure projects for financial assistance including planning, designing, constructing, inspections, professional services, conducting environmental assessments, asset management planning,	HTRC HAWC – Do Pass recommendation with amendments

			acquiring land or water rights and legal fees associated with qualified projects. Creates a Water Association Project Fund. Authorizes severance tax bonds of 4.5% of the estimated bonding capacity for water association infrastructure projects	
HB 253	NMSU Agricultural Programs	Rep. Melanie A. Stansbury Rep. Gail Armstrong Rep. Candie G. Sweetser Rep. Kelly K. Fajardo Rep. Rebecca Dow	<i>Also see SB 177</i> – Appropriates funds to NMSU to support agricultural programs including \$200K for NM Department of Agriculture to assist soil and water conservation districts	HAFC HAWC – Do Pass recommendation
HB 312	Create Environmental Health Fund	Rep. Nathan P. Small	Creates an Environmental Health Fund consisting of fees collected from regulation of on-site liquid waste systems and water recreation facilities, food establishments and hemp manufacturing. Up to \$200K of unexpended funds may be transferred annually to the liquid waste disposal system assistance fund	Passed in the House on 2/12/20 – Y:64 N:0 HAFC – Do Pass recommendation
HM 21	Transport & Storage of Radioactive Waste	Rep. Matthew McQueen	Memorializes a lack of a long-term, permanent solutions to store nuclear waste. Recognizes the risks of transporting hazardous waste nationwide to New Mexico for “temporary” storage period of 50-years. Memorializes that Governor Michelle Lujan Grisham stated the proposed Holtec International interim high-level radioactive waste facility poses significant and unacceptable risk to New Mexicans, the environment and the economy. It resolves that the New Mexico House of Representatives oppose the transportation of high-level radioactive waste to, and storage in, New Mexico.	HENRC – Do Pass recommendation (with amendments) House Floor 2/13

SB 19	Water Project Fund Authorization	Sen. Jacob R. Candelaria Rep. Tomás E. Salazar	Authorizes the New Mexico finance authority to make loans or grants from the water project fund; including Water Authority conservation, treatment, recycling or reuse projects	HAFC Passed in the Senate – Y:39 N:0 SFC – Do Pass recommendation SCONC – Do Pass recommendation
SB 84	Extend Agricultural Biomass Income Tax Credit	Sen. Mary Kay Papen	<i>Also see HB 146</i> – Extends the agricultural biomass tax credit to 2030 and adds reporting requirements for NM Tax and Revenue Department. The agricultural biomass tax credit allows dairy or feedlot owners to claim \$5/wet ton of manure transported to a facility that uses biomass to generate electricity or create fuels.	SFC SCORC – Do Pass recommendation
SB 95	Radioactive Waste Consultation Task Force	Sen. Jeff Steinborn	Amendments to the Radioactive and Hazardous Materials Act including definitions and task force membership. Task force duties are also amended to include identifying impacts of proposed public and private disposal facilities, and review of federal license applications where all findings are transmitted to the legislature, governor and relevant executive departments.	SJC SCONC – Do Pass recommendation
SB 102	Ag and Natural Resources Trust Act	Sen. Steven P. Neville Sen. Mimi Stewart	<i>Also see HB 223</i> – Creates an agricultural and natural resources trust fund and trust grant fund in the State Treasury to conserve agricultural, wildlife and natural resources. Also creates a governor-appointed board of nine from each of New Mexico’s USGS-defined hydrologic regions to manage trust funds. An “Office of the Agricultural and Natural Resources Trust” will also be created and administratively attached to	SCC – referred to SCONC and SFC

			the office of the governor; the appointed board will select a director. The bill defines terms, powers and purposes of the board and director, eligibility conditions for grant applications and terms for conservation easements established with trust funds. \$150M is proposed from the general fund to the Ag and Natural Resources trust fund in FY21 and \$200K from the general fund for administrative purposes	
SB 104	Prohibit New Hydraulic Fracturing Permits	Sen. Antionette Sedillo Lopez Rep. Patricia Roybal Caballero	Amends Oil and Gas Act to prohibit any new hydraulic fracturing permits until 2024 and adds annual reporting requirements from EMNRD, NMEDA, NMED, NMDOH, NMDOT, OSE, Indian Affairs, Workers' Compensation Administration and NM Workforce Solutions. Reports are to be delivered to the governor and appropriate legislative interim committees	SCC – referred to SCONC and SCORC
SB 148	Water Trust Fund	Sen. Joseph Cervantes	Appropriates \$41M from the general fund to the water trust fund	SFC SCONC – Do Pass recommendation
SB 177	NMSU Agricultural Programs	Sen. Pete Campos	<i>Also see HB 253</i> – Appropriates funds to NMSU to support agricultural programs including \$200K for NM Department of Agriculture to assist soil and water conservation districts	SFC SCONC – Do Pass recommendation
SB 179	NMED Rulemaking Public Comment Period	Sen. Elizabeth “Liz” Stefanics	Adds a new section to the State Rules Act to provide a limited exception from public comment period and public hearing requirements for adoption of rules mandated by a federal agency to maintain authorization to implement a federal program or receive federal funding. Also makes the same language amendments to Environmental Improvement Act and Hazardous Waste Act	SCC – referred to SCONC and SJC

SB 180	Fees for Used Oil Businesses	Sen. Elizabeth “Liz” Stefanics	Amends Hazardous Waste Act to include businesses generating or managing used oil to be subject to fees, increases non-compliance penalties and provides for inflation adjustments for assessing fees	SJC SCONC - Do Pass recommendation
SB 189	General Appropriations Act of 2020	Sen. John Arthur Smith Sen. Steven P. Neville	<i>See HB 2 and HB 189</i> – Appropriates \$76.1M to EMNRD, \$39.4M to OSE and ISC, \$126.3M to NMED and \$2.3M to ONRT; also includes special appropriations to specific projects or programs under each department/agency. <i>*Note: HB 2 is the General Appropriations Act of 2020; passed in the House, currently in Senate</i>	SFC
SB 234	Water Association Infrastructure Act	Sen. Richard C. Martinez	<i>Also see HB 248</i> – Creates a Water Association Infrastructure Board with seven members: Secretary of Finance, Secretary of Environment, Chief Executive Officer of the NM Finance Authority, and appointees of president/speaker and minority leads from NM House and NM Senate. Board recommends water infrastructure projects for financial assistance including planning, designing, constructing, inspections, professional services, conducting environmental assessments, asset management planning, acquiring land or water rights and legal fees associated with qualified projects. Creates a Water Association Project Fund. Authorizes severance tax bonds of 4.5% of the estimated bonding capacity for water association infrastructure projects	SCC – referred to SCONC and SFC
SB 236	Statewide Dam Projects	Sen. Pete Campos	Appropriates \$100M from the general fund to OSE for statewide dam projects in FY21	SFC SCONC – Do Pass recommendation

SB 273	Ag & Natural Resources Trustee Act	Sen. Steven P. Neville	<i>See related bills SB102 and HB223</i> – Creates an agricultural and natural resources trust fund and trust grant fund in the State Treasury to conserve agricultural, wildlife and natural resources. Also creates a governor-appointed board of nine from each of New Mexico’s USGS-defined hydrologic regions to manage trust funds. An “Office of the Agricultural and Natural Resources Trust” will also be created and administratively attached to the office of the governor; the appointed board will select a director. The bill defines terms, powers and purposes of the board and director, eligibility conditions for grant applications and terms for conservation easements established with trust funds. Appropriates \$50M in FY21 for all purposes to carry forth the act.	SCONC
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