

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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 Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis: SB 276_ limits the location where a state engineer hearing can be held to the county in which the water right at issue is adjudicated, licensed or permitted, unless the parties and the engineer agree to another site for the hearing.

FISCAL IMPLICATIONS N/A

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 SB 276 will increase the administrative burden and costs to the state of state engineer hearings by restricting the location where the hearing may be held to the county in which the water right is adjudicated, licensed or permitted. Practically, this means that a suitable space must be located and paid for, the state engineer will have additional costs associated with moving the hearing staff and experts and equipment to the location and paying for transportation hotel rooms and meals. Managing the logistics of complying with this bill will also significantly increase the time it takes to hold a hearing and create a backlog of hearings. The bill provides no additional budget for the increased costs to the state which will translate into fewer hearings being held.

Currently, the state engineer or his hearing examiner can balance the pros and cons of where to hold a hearing to maximize the convenience and efficiency of the process for the parties, the public and the state. This ability would be lost.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

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