

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT

RELATING TO LOCAL GOVERNMENT; CHANGING PROVISIONS OF THE
WATERSHED DISTRICT ACT THAT ALLOW THE REMOVAL OF LANDS FROM
WATERSHED DISTRICTS OR DISCONTINUANCE OF WATERSHED DISTRICTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 73-20-22 NMSA 1978 (being Laws 1957,
Chapter 210, Section 21, as amended) is amended to read:

"73-20-22. DETACHING LAND.--The owner or owners of land
who have not been, are not and cannot be benefited by their
inclusion in the watershed district and whose lands do not
contribute to the district's purposes may petition the board
of supervisors to have the lands withdrawn. The petitions
shall be filed with the board of supervisors and the board of
directors and shall describe the lands and state the reasons
why they should be withdrawn. If it is determined by the
board of supervisors that the lands shall be withdrawn, the
determination shall be certified to the county clerk of each
county in which any portion of the lands lie. After
recording, the certification shall be filed with the
New Mexico department of agriculture."

SECTION 2. Section 73-20-23 NMSA 1978 (being Laws 1957,
Chapter 210, Section 22, as amended) is amended to read:

"73-20-23. DISCONTINUANCE OF DISTRICTS.--

A. At any time after five years from the

1 organization of a watershed district, a majority of the
2 landowners in the district may file a petition with the board
3 of supervisors and the board of directors requesting that the
4 existence of the district be discontinued if all obligations
5 of the district have been met. The petition shall state the
6 reasons for discontinuance and demonstrate that all
7 obligations of the district have been met.

8 B. After giving notice as defined in Section
9 73-20-8 NMSA 1978, the board of supervisors may conduct
10 hearings on the petition as may be necessary to assist it in
11 making a determination.

12 C. Within sixty days after petition is filed, a
13 referendum shall be held under the supervision of the board
14 of supervisors as provided in Section 73-20-14 NMSA 1978. No
15 informalities in the conduct of the referendum or in any
16 matters relating to the referendum shall invalidate it or its
17 result if notice of the referendum has been given
18 substantially as provided in Subsection B of this section.

19 D. If a majority of the votes cast in the
20 referendum favor the discontinuance of the district and it is
21 found that all obligations have been met, the board of
22 supervisors shall make a determination that the watershed
23 district shall be discontinued. A copy of the determination
24 shall be certified by the clerk of the county involved for
25 recording. After recording, the certification shall be filed

1 with the New Mexico department of agriculture."

SB 283

Page 3

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25