

HOUSE BILL

58TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2027

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO SPECIAL DISTRICTS; REQUIRING THAT MEMBERS OF THE
ACEQUIA COMMISSION BE ELECTED OFFICIALS OF ACEQUIAS OR
COMMUNITY DITCHES; PROVIDING FOR THE ELECTION OF COMMISSION
OFFICERS, THE HIRING OF STAFF AND CONTRACTING FOR SERVICES;
EXPANDING THE DUTIES OF THE ACEQUIA COMMISSION.

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

SECTION 1. Section 73-2-65 NMSA 1978 (being Laws 1993,
Chapter 293, Section 1) is amended to read:

"73-2-65. ACEQUIA COMMISSION--CREATED--MEMBERSHIP--
TERMS.--

A. ~~[There is created]~~ The "acequia commission"
~~[which]~~ is created and is administratively attached to the
~~[local government division of the]~~ department of finance and
administration.

.234903.2

underscored material = new
[bracketed material] = delete

1 B. The acequia commission shall be appointed by the
2 governor and shall consist of eleven members who [~~reside in the~~
3 ~~irrigated areas of the state containing acequias. Members~~
4 ~~shall own land irrigated from an acequia or community ditch~~
5 ~~organized pursuant to a ditch or acequia statute~~] are current
6 elected officials of an acequia or a community ditch. Each
7 member is appointed by the governor [~~shall~~] to serve a term of
8 four years.

9 C. The initial appointments to the acequia
10 commission shall include the ten persons serving as members of
11 the governor's acequia commission, organized pursuant to
12 Executive Order 88-06, and one member of the public who has a
13 background in business. Of the initial appointees, four
14 members shall be appointed by lot for two-year terms, four
15 members shall be appointed by lot for three-year terms and
16 three members shall be appointed by lot for four-year terms.

17 D. The acequia commission shall meet at the call of
18 the [~~chairman~~] chair not less than quarterly and not more than
19 once a month. The [~~chairman~~] chair shall be elected from among
20 the members of the commission, and the commission may elect
21 other officers it deems necessary.

22 E. The acequia commission may hire staff and
23 contract for services to carry out the duties of the
24 commission."

25 SECTION 2. Section 73-2-66 NMSA 1978 (being Laws 1993,

Chapter 293, Section 2) is amended to read:

"73-2-66. POWERS AND DUTIES.--The acequia commission shall:

A. provide advice, ~~[and assist]~~ assistance and recommendations to the governor, the legislature [office of the state engineer and interstate stream commission and the United States army corps of engineers in establishing acequia and community ditch rehabilitation priorities and other] and state and federal agencies regarding acequia and community ditch matters;

B. serve as a facilitator for communication between ~~[acequia]~~ acequias and community ~~[ditch associations]~~ ditches and state and federal agencies; ~~[and]~~

C. review and comment on any plan, rulemaking process or legislation affecting acequias or community ditches to the governor, the legislature, the ~~[secretary of agriculture and]~~ director of the New Mexico department of agriculture, the interstate stream commission and other state and federal agencies; and

D. provide education and technical assistance to acequias and community ditches on their roles and responsibilities as political subdivisions of the state, infrastructure planning and regional water planning."