

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 545

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
AMENDING THE ACEQUIA AND COMMUNITY DITCH INFRASTRUCTURE FUND TO
ALLOW FUNDING FOR DISASTER RESPONSE, RECOVERY AND HAZARD
MITIGATION AND COST SHARE REQUIREMENTS OF STATE AND FEDERAL
FUNDING PROGRAMS.

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

SECTION 1. Section 72-14-24.1 NMSA 1978 (being Laws 2019,
Chapter 169, Section 1) is amended to read:

"72-14-24.1. ACEQUIA AND COMMUNITY DITCH INFRASTRUCTURE
FUND--CREATED.--

A. The "acequia and community ditch infrastructure
fund" is created in the state treasury and shall be
administered by the interstate stream commission. The fund
consists of money transferred from the New Mexico irrigation

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1 works construction fund and interest accruing to the fund.
2 Disbursements from the fund shall be made by warrant of the
3 secretary of finance and administration pursuant to vouchers
4 signed by the director of the interstate stream commission or
5 the director's authorized representative. Any unexpended or
6 unencumbered balance remaining in the fund at the end of any
7 fiscal year shall revert to the New Mexico irrigation works
8 construction fund.

9 B. Money in the fund is appropriated to the
10 interstate stream commission to:

11 (1) provide funding to acequias or community
12 ditches for ~~[the]~~ planning, engineering design or construction
13 of irrigation works ~~[of acequias or community ditches]~~ and
14 infrastructure projects, including dams, reservoirs,
15 diversions, ditches, flumes or other appurtenances for the
16 purposes of restoration, repair, disaster response, recovery
17 and hazard mitigation, improvement of irrigation efficiency
18 ~~[or]~~ and protection from floods; and

19 (2) match or meet cost share requirements of
20 other state and federal funding programs.

21 C. The interstate stream commission shall:

22 (1) ~~[in consultation]~~ consult with the acequia
23 commission and the New Mexico acequia association to develop:

24 (a) guidelines and criteria for
25 ~~[program]~~ funding eligibility; provided that no local cost

1 share shall be required;

2 (b) applications; and

3 (c) selection requirements with a
4 prioritization on project readiness and need;

5 [~~(2) prioritize the provision of funding based~~
6 ~~on project readiness;~~

7 ~~(3)] (2) review acequia or community ditch~~

8 plans and specifications [~~and~~];

9 (3) inspect completed projects; and

10 (4) report biannually to the acequia

11 commission on the progress of projects funded through the fund

12 and the expenditure of money from the fund.

13 D. As used in this section, "fund" means the

14 acequia and community ditch infrastructure fund."

15 SECTION 2. EFFECTIVE DATE.--The effective date of the

16 provisions of this act is July 1, 2023.

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