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SENATE BILL 323

42ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1996

INTRODUCED BY

FERNANDO R. MACIAS

AN ACT

RELATING TO WATER RIGHTS; CREATING A WATER RIGHTS TASK FORCE;  
MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. ~~WATER RIGHTS TASK FORCE CREATED--~~TERMINATION.--

The "water rights task force" is created. The task force shall function from the date of its appointment until the first day of December prior to the first session of the forty-fifth legislature.

Section 2. ~~MEMBERSHIP--~~APPOINTMENT--~~VACANCIES.--~~

A. The water rights task force shall be composed of six legislative members, six public members and six advisory members from the executive branch of government.

B. Three members of the house of representatives shall be appointed by the speaker of the house of

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1 representatives and three members of the senate shall be  
2 appointed by the president pro tempore of the senate after  
3 consultation with and the agreement of a majority of the members  
4 of the committees' committee. Members shall be appointed from  
5 each house to give the two major political parties in each house  
6 the proportional representation on the task force that prevails  
7 in each house; however, in no event shall either party have less  
8 than one member from each house on the task force.

9 C. Three public members shall be appointed to the  
10 task force by the speaker of the house of representatives and  
11 three public members shall be appointed to the task force by the  
12 president pro tempore of the senate to represent the state's  
13 ethnic and geographic diversity. The public members of the task  
14 force shall be paid per diem and mileage in accordance with the  
15 provisions of the Per Diem and Mileage Act plus reimbursement  
16 for reasonable actual expenses.

17 D. Additionally, the task force shall include six  
18 advisory members of the executive branch of government appointed  
19 by the governor.

20 E. Vacancies on the task force shall be filled by  
21 appointment in the same manner as the original appointments.

22 F. The speaker of the house of representatives and  
23 the president pro tempore of the senate shall each designate one  
24 co-chairman of the task force.

25 Section 3. DUTIES.--After its appointment, the water

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1 rights task force shall hold one organizational meeting to  
2 develop a work plan and budget for the ensuing interim. The  
3 work plan and budget shall be submitted to the legislative  
4 council for approval. Upon approval of the work plan and budget  
5 by the legislative council, the task force shall examine the  
6 statutes, constitutional provisions, regulations and court  
7 decisions governing water law in New Mexico, consult with and  
8 solicit advice from the state engineer's office and recommend  
9 legislation or changes, if any are found to be necessary, to the  
10 legislature.

11 Section 4. REPORT.--The water rights task force shall make  
12 a report of its findings and recommendations for the  
13 consideration of the legislature. The report and suggested  
14 legislation shall be made available to the legislative council  
15 on or before December 15 preceding each legislative session.

16 Section 5. STAFF.--The staff for the water rights task  
17 force shall be provided by the legislative council service.

18 Section 6. APPROPRIATION.--Twenty thousand dollars  
19 (\$20,000) is appropriated from the general fund to the  
20 legislative council service for expenditure in fiscal years 1996  
21 through 2001 for the purpose of paying the salaries and expenses  
22 of the technical, legal and clerical staff, purchase of  
23 necessary equipment and supplies and reimbursement of the per  
24 diem and mileage expenses of the water rights task force. Any  
25 unexpended or unencumbered balance remaining at the end of

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1 fiscal year 2001 shall revert to the general fund. Payments  
2 from the appropriation shall be made upon vouchers signed by the  
3 director of the legislative council service or his authorized  
4 representative.

5 Section 7. EMERGENCY.--It is necessary for the public  
6 peace, health and safety that this act take effect immediately.

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1 FORTY- SECOND LEGI SLATURE  
2 SECOND SESSI ON, 1996

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5 JANUARY 26, 1996

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7 Mr. Presi dent:

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9 Your COMMI TTEES' COMMI TTEE, to whom has been referred

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11 SENATE BILL 323

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13 has had it under consideration and finds same to be GERMANE, PURSUANT  
14 TO CONSTITUTIONAL PROVISIONS, and thence referred to the  
15 CONSERVATI ON COMMI TTEE.

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17 Respectfully submi tted,

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23 SENATOR MANNY M. ARAGON, Chai rman  
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Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

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1 FORTY- SECOND LEGI SLATURE  
2 SECOND SESSI ON, 1996  
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5 February 6, 1996  
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7 Mr. President:  
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9 Your CONSERVATION COMMI TTEE, to whom has been referred  
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11 SENATE BILL 323  
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13 has had it under consideration and reports same with recommendation that  
14 it DO PASS, and thence referred to the FINANCE COMMI TTEE.  
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16 Respectfully submit ted,  
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21 TOM R. BENAVIDES, Chair man  
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25 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chi ef Clerk) (Chi ef Clerk)

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The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Rutherford, Tsosie, Vernon, Wray

Absent: 0

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