

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

SENATE BILL 602

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Mary Jane M Garcia

AN ACT

RELATING TO WATER; AMENDING A SECTION OF THE NMSA 1978 TO
PROVIDE FOR A FORTY-YEAR WATER USE PLANNING PERIOD.

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

Section 1. Section 72-1-9 NMSA 1978 (being Laws 1985,
Chapter 198, Section 1, as amended by Laws 1990, Chapter 11,
Section 1 and also by Laws 1990, Chapter 40, Section 1) is
amended to read:

"72-1-9. MUNICIPAL, COUNTY, MUTUAL DOMESTIC WATER
CONSUMER ASSOCIATIONS AND STATE UNIVERSITY WATER DEVELOPMENT
PLANS-- PRESERVATION OF MUNICIPAL, COUNTY AND STATE UNIVERSITY
WATER SUPPLIES. --

A. It is recognized by the state of New Mexico
that it promotes the public welfare and the conservation of
water within the state for municipalities, counties, mutual

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 domestic water consumer associations, state universities and
2 public utilities supplying water to municipalities or counties
3 to plan for the reasonable development and use of water
4 resources. The state further recognizes the state engineer's
5 administrative policy of not allowing municipalities,
6 counties, mutual domestic water consumer associations, and
7 state universities to acquire and hold unused water rights in
8 an amount greater than their reasonable needs within forty
9 years [~~and recognizes that this administrative policy was~~
10 ~~incorporated into law by Chapter 2 of Laws 1983~~].

11 B. Municipalities, counties, mutual domestic water
12 consumer associations, state universities and public utilities
13 supplying water to municipalities or counties shall be allowed
14 a water use planning period not to exceed forty years [~~and~~].
15 Water rights for municipalities, counties, mutual domestic
16 water consumer associations, state universities and public
17 utilities supplying water to such municipalities or counties
18 shall be based upon a water development plan the
19 implementation of which shall not exceed a forty-year period
20 from the date of the application for an appropriation or a
21 change of place or purpose of use pursuant to a water
22 development plan or for preservation of a municipal, county,
23 mutual domestic water consumer association or state university
24 water supply for reasonably projected additional needs within
25 forty years.

underscored material = new
[bracketed material] = del ete

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

C. As used in this section, "mutual domestic water
consumer association" means a water system serving at least
fifteen water taps or twenty-five persons. "

3
4
5
6 February 25, 1999

7
8 Mr. President:

9
10 Your FINANCE COMMITTEE, to whom has been referred

11
12 SENATE BILL 187

13
14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

- 16
17
- 18 1. On page 1, line 13, strike "; MAKING AN APPROPRIATION".
 - 19
20 2. On page 1, line 25, strike "1999" and insert in lieu
21 thereof "2000".
 - 22
23 3. On page 2, strike Section 3 in its entirety.
 - 24
25 4. Renumber the succeeding section accordingly.

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

SCONC/SB 602

Page 8

lieu thereof "member-owned community water systems".

4. On page 2, line 6, strike "mutual domestic water consumer associations" and insert in lieu thereof "member-owned community water systems".

5. On page 2, lines 11 and 12, strike "mutual domestic water consumer associations" and insert in lieu thereof "member-owned community water systems".

6. On page 2, lines 15 and 16, strike "mutual domestic water consumer associations" and insert in lieu thereof "member-owned community water systems".

7. On page 2, line 23, strike "mutual domestic water consumer association" and insert in lieu thereof "member-owned community water system".

8. On page 3, lines 1 and 2, strike "mutual domestic water consumer association" and insert in lieu thereof "member-owned community water system".

. 127290. 2

underscored material = new
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

SCONC/SB 602

Page 9

9. On page 3, between lines 3 and 4, insert the following
new section:

"Section 2. EMERGENCY.--It is necessary for the public
peace, health and safety that this act take effect
immediately."

Respectfully submitted,

Fernando R. Macias, Chairman

. 127290. 2

underscored material = new
[bracketed material] = delete

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

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

SCONC/SB 602

Page 10

Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: None

Excused: Payne, Sanchez, Vernon

Absent: None

S0602C01

. 128223. 1

. 127957. 1

. 127290. 2

underscored material = new
[bracketed material] = delete

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
3
4
5

6 March 9, 1999
7

8 Mr. Speaker:
9

10 Your AGRICULTURE AND WATER RESOURCES COMMITTEE,
11 to whom has been referred
12

13 SENATE BILL 602, as amended
14

15 has had it under consideration and reports same with
16 recommendation that it DO PASS.

17 Respectfully submitted,
18

19
20
21 _____
22 Joe M Stell, Chairman
23
24
25

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

HAGC/SB 602/a

Page 12

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Varela

Absent: None

J: \99BillsWP\S0602

underscored material = new
[bracketed material] = delete