

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

HOUSE BILL 122

**50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012**

INTRODUCED BY

Thomas A. Garcia

AN ACT

RELATING TO UTILITIES; REQUIRING THAT NOTICE OF CONSTRUCTION BE GIVEN BY UTILITIES TO AFFECTED ACEQUIA AND DITCH LANDOWNERS AND TO MAYORDOMOS OR DITCH COMMISSIONERS.

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

SECTION 1. A new section of Chapter 62, Article 1 NMSA 1978 is enacted to read:

"~~[NEW MATERIAL]~~ NOTICE OF CONSTRUCTION BY UTILITIES TO AFFECTED ACEQUIA AND DITCH LANDOWNERS AND MAYORDOMOS OR DITCH COMMISSIONERS.--Before accessing an easement created pursuant to Section 73-2-5 NMSA 1978 to construct, place or repair lines, pipes, poles, cables, conduits, towers, stations, fixtures, appliances or other structures, a corporation organized pursuant to the Public Utility Act or the Rural Electric Cooperative Act shall give the owner of the land and

.187103.2

underscored material = new  
[bracketed material] = delete

underscoring material = new  
~~[bracketed material]~~ = delete

1 the mayordomo or ditch commissioner not less than three or more  
2 than ten days' notice in writing of the time and place that a  
3 representative of the corporation will examine and appraise the  
4 land. The notice shall also contain a description, as near as  
5 can be ascertained, of the proposed construction, placement or  
6 repair of lines, pipes, poles, cables, conduits, towers,  
7 stations, fixtures, appliances or other structures."

8 - 2 -  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

.187103.2