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51st legislature - STATE OF NEW MEXICO - second session, 2014

INTRODUCED BY

Cathrynn N. Brown

A MEMORIAL

REQUESTING THE NEW MEXICO MUNICIPAL LEAGUE TO DRAFT AND DISTRIBUTE A MODEL ORDINANCE FOR MUNICIPALITIES TO ADDRESS CAPPING ABANDONED WATER WELLS ON PRIVATE PROPERTY.

WHEREAS, many uncapped, abandoned water wells are located throughout the state; and

WHEREAS, abandoned water wells create a potential safety risk; and

WHEREAS, currently, there are no laws that require a landowner to cap an abandoned water well on private property; and

WHEREAS, many abandoned water wells were constructed before water basins were declared and regulations were implemented to require registration of wells with the state; and

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WHEREAS, a tragic death occurred in Carlsbad when a child wandered onto private property, fell into an open, abandoned water well and drowned; and

WHEREAS, identification of abandoned well sites on private property and requirements for capping those wells are crucial to prevent similar tragedies in the future;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico municipal league be requested to draft a model ordinance for municipalities in the state to address capping abandoned water wells on private property; and

BE IT FURTHER RESOLVED that the New Mexico municipal league distribute the model ordinance to all municipalities in the state to consider for adoption; and

BE IT FURTHER RESOLVED that the New Mexico municipal league be requested to make a presentation to the appropriate interim legislative committee regarding the status of the model ordinance by November 1, 2014; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the New Mexico municipal league, the secretary of environment and the office of the state engineer.

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