

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 700

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

INTRODUCED BY

Patsy Trujillo Knauer

AN ACT

RELATING TO WATER; BROADENING THE INTERSTATE STREAM  
COMMISSION'S POWERS AND DUTIES TO PROTECT THE ENVIRONMENT;  
AMENDING SECTIONS OF THE NMSA 1978.

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

Section 1. Section 72-14-3 NMSA 1978 (being Laws 1935,  
Chapter 25, Section 3) is amended to read:

"72-14-3. GENERAL POWERS--INTERSTATE COMPACTS--  
EMPLOYEES--ATTORNEY GENERAL'S DUTIES. -- [~~That said~~] The  
interstate stream commission is [~~hereby~~] authorized to  
negotiate compacts with other states to settle interstate  
controversies or looking toward an equitable distribution and  
division of waters in interstate stream systems, subject, in  
all cases, to final approval by the legislature of New Mexico;  
to match appropriations made by the congress of the United

underscored material = new  
[bracketed material] = del etc

underscored material = new  
[bracketed material] = delete

1 States for investigations looking to the development of  
2 interstate streams originating in or flowing through the state  
3 [~~of New Mexico~~]; to investigate water supply, to protect the  
4 natural environment dependent upon the waters and stream  
5 systems of the state, to develop, to conserve, to protect and  
6 to do any and all other things necessary to protect, conserve  
7 and develop the waters and stream systems of this state,  
8 interstate or otherwise; to institute or cause to be  
9 instituted in the name of the state [~~of New Mexico~~] any and  
10 all negotiations [~~and/or~~] or legal proceedings as in its  
11 judgment are necessary to carry out the provisions of [~~this~~  
12 ~~Act~~] Sections 72-14-1 through 72-14-3 NMSA 1978; to do all  
13 other things necessary to carry out the provisions of [~~this~~  
14 ~~Act~~] Sections 72-14-1 through 72-14-3 NMSA 1978; to employ  
15 such attorneys, engineers and clerical help as, in its  
16 judgment, may be necessary to carry out the provisions of  
17 [~~this Act~~] Sections 72-14-1 through 72-14-3 NMSA 1978 and to  
18 fix their compensation and expenses; together with such other  
19 powers and duties as may, from time to time, be given [~~said~~]  
20 the commission by the legislature [~~of New Mexico~~]. The  
21 attorney general shall be the legal adviser of [~~such~~] the  
22 commission and attorneys employed [~~as above~~] shall be subject  
23 to his approval and supervision and be designated as special  
24 assistant attorneys general. "

25 Section 2. Section 72-14-26 NMSA 1978 (being Laws 1955,

. 125274. 4

underscored material = new  
[bracketed material] = del ete

1 Chapter 266, Section 17, as amended by Laws 1997, Chapter 241,  
2 Section 14 and also by Laws 1997, Chapter 246, Section 14) is  
3 amended to read:

4 "72-14-26. DISPOSITION OF WATER FOR PUBLIC, DOMESTIC,  
5 INDUSTRIAL AND OTHER USES--RECONVEYANCE TO GRANTORS. --In  
6 addition to the powers conferred upon the commission to sell,  
7 lease and otherwise dispose of waters for the purpose of  
8 irrigation, development of power, watering of stock or other  
9 purposes, the commission shall have power to sell, lease and  
10 otherwise dispose of waters from its waterworks systems for  
11 public, domestic, industrial, environmental and other uses and  
12 for fire protection. The commission, after the discharge of  
13 all of the bonds issued by the commission to finance the  
14 construction or acquisition of any works, except for  
15 hydrographic surveys used by the state engineer for  
16 determining water rights, and of all interest thereon and  
17 costs and expenses incurred in connection with any action or  
18 proceeding by or on behalf of the holders of such bonds, shall  
19 reconvey the same to the grantors thereof."