

HOUSE JOINT MEMORIAL 8

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

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A JOINT MEMORIAL

REQUESTING THE ACEQUIA COMMISSION TO DEVELOP A REPORT IN  
COLLABORATION WITH VARIOUS STATE AND PRIVATE ENTITIES WITH  
PROPOSALS ON HOW TO UPDATE THE ACEQUIA COMMISSION'S AUTHORITIES  
TO BETTER MEET THE NEEDS OF ACEQUIA ASSOCIATIONS.

WHEREAS, many of the state's acequia associations were  
established in the seventeenth and eighteenth centuries,  
forming the backbone of the Spanish and Mexican rural farming  
economy still prevalent in much of New Mexico; and

WHEREAS, acequia associations, also known as community  
ditch associations, are recognized under New Mexico law as  
political subdivisions of the state and historically have been  
a principal local government unit for the distribution and use  
of surface water; and

WHEREAS, acequia associations do not have the power to

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1 tax, so the expenses of maintenance, improvements and  
2 governance are borne by the individuals served by an acequia's  
3 irrigation system; and

4 WHEREAS, acequia associations are typically governed by  
5 volunteer commissions; and

6 WHEREAS, there are currently hundreds of acequia  
7 associations in New Mexico, and they periodically receive  
8 funding assistance from the state or federal government to  
9 rehabilitate their irrigation systems; and

10 WHEREAS, in 1993, the legislature established a statewide  
11 acequia commission to: assist state and federal agencies in  
12 prioritizing funding assistance; facilitate communications  
13 between acequia associations and state and federal agencies;  
14 and advise state policymakers on legislation and other  
15 initiatives affecting acequias; and

16 WHEREAS, in fiscal year 2016, the legislature appropriated  
17 ninety-four thousand dollars (\$94,000) to the acequia  
18 commission for improvements to acequia irrigation systems;  
19 however, the acequia commission lacked the internal authority  
20 to distribute the funding; and

21 WHEREAS, the requirement that the acequia commission work  
22 through other agencies to distribute infrastructure funding  
23 caused an unnecessary delay and raised the issue of whether the  
24 authorities of the acequia commission should be expanded in  
25 order to increase efficiency and better help acequia

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1 associations to meet modern demands;

2 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
3 STATE OF NEW MEXICO that the acequia commission be requested to  
4 develop a report:

5 A. on the current needs of acequia associations to  
6 meet their obligations to their members and their duties as  
7 political subdivisions of the state; and

8 B. offering proposals to amend the current  
9 statutory authorities of the acequia commission and redefine  
10 its relationship with other state agencies and acequia  
11 associations; and

12 BE IT FURTHER RESOLVED that the acequia commission be  
13 requested to work with the office of the state engineer, the  
14 interstate stream commission, the New Mexico department of  
15 agriculture and the New Mexico acequia association and that it  
16 solicit participation and comments from the various independent  
17 acequia associations and the general public in the development  
18 of the report; and

19 BE IT FURTHER RESOLVED that the report be presented to the  
20 appropriate interim legislative committee prior to that  
21 committee's last meeting of 2018; and

22 BE IT FURTHER RESOLVED that copies of this memorial be  
23 transmitted to the governor, the acequia commission, the state  
24 engineer, the interstate stream commission and the director of  
25 the New Mexico department of agriculture.

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