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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/06/2020

SPONSOR Campos LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Acequias & Land Grants in Public Education SB 239

ANALYST Chilton

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY20	FY21		
	\$75.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to House Memorial 31 and Senate Memorial 31.

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Higher Education Department (HED)

Responses Not Received From  
New Mexico Highlands University (NMHU)

### SUMMARY

#### Synopsis of Bill

Senate Bill 239, appropriates \$75 thousand from the general fund to the board of regents of New Mexico Highlands University for the purpose of NMHU's center for the education and study of diverse populations and its Ben Luján leadership and public policy institute to convene a group to develop educational recommendations regarding acequias and land grants for public schools in New Mexico.

The group to be convened would include

- Educators
- Acequia and land grant stakeholders
- Youth

These groups are not further defined in the bill.

## **FISCAL IMPLICATIONS**

The appropriation of \$75 thousand contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of 2021 shall revert to the general fund.

## **SIGNIFICANT ISSUES**

The State Land Office, in an agency response to House Memorial 31, notes including curriculum in public and higher education focusing on practices, history, and structure of land grants and acequias would provide New Mexico's students with a robust context for some of the earliest governmental structures in the history of the state, as well as provide a guide and framework for tackling some of the complex land and water management challenges students will need to solve now and in the near future.

## **RELATIONSHIP**

Identical Senate Memorial 31 and House Memorial 31, direct the development of curricular materials on acequias and land grants through the same two components of New Mexico Highlands University; this bill would provide the funding for what is contemplated in those memorials.

## **OTHER SUBSTANTIVE ISSUES**

The acequia systems presently in use are similar to the gravity-fed irrigation systems developed by Puebloan peoples prior to Spanish colonization. Acequias, as used today, and historically, since Spanish settlement, are a communal system of irrigating fields governed by formal laws. Acequia systems with centralized authority have been present in New Mexico for more than three centuries.

Each acequia is governed by a mayordomo, who, with input from acequia members, decides how water is distributed among members, makes plans during times of water scarcity, and oversees maintenance and repairs of the system. Historically, acequia governance was also used to help settle other instances community conflict, and the mayordomo was known and respected as an authority figure in New Mexico communities.

Spanish and Mexican land grants were issued in order to promote settlement in the frontier land now known as New Mexico, as well as to Puebloan tribes, creating political and ethnic boundaries. Two types of grants were issued, individual grants and community grants. In 1848, the Treaty of Guadalupe Hidalgo ended the Mexican-American War. Pursuant to the Treaty, the United States agreed to honor Mexican and Spanish land grants in New Mexico and five other states. Land grants continued to be adjudicated in New Mexico. Some of the Spanish and Mexican land grants were quickly confirmed in the years following the Mexican War, but the fate of others were much more difficult – finally, in 1895, the US government established a United States Court of Private Land Claims, which adjudicated 300 claims in its 14 years of existence, confirming only 89 of them. Pride in, but also agitation over these land claims continues into the present.