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HOUSE MEMORIAL 21

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

INTRODUCED BY

J. "Andy" Kissner

A MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE
APPROPRIATE COMMITTEE TO STUDY THE POTENTIAL TO ESTABLISH A
STATE WATER TRUST.

WHEREAS, New Mexico is an arid state with extensive
claims attached to its limited water resources; and

WHEREAS, the growth of urban communities in the state and
competition between water users has escalated; and

WHEREAS, the free market exchange of water rights is
legal in New Mexico, but pricing mechanisms can cause
significant harm to traditional communities and cultures that
have their value to the state; and

WHEREAS, institutional support to facilitate equitable
and rational exchange of water rights while fostering
conservation and efficient use is needed;

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NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico legislative council be requested to direct the appropriate committee, with the cooperation of the state engineer and the interstate stream commission, to study the potential establishment of a state water trust to act as a banking system for water rights, fostering equitable free market exchanges of water rights, conservation, efficient use and retention of New Mexico's full share of water rights; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the members of the New Mexico legislative council, the state engineer and the director of the interstate stream commission.

1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 4, 1999
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8 Mr. Speaker:
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10 Your AGRICULTURE AND WATER RESOURCES COMMITTEE,
11 to whom has been referred
12

13 HOUSE MEMORIAL 21
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15 has had it under consideration and reports same with
16 recommendation that it DO PASS, amended as follows:

17 1. On page 1, line 13, after "TRUST" insert "OR OTHER
18 MECHANISM".
19

20 2. On page 1, between lines 16 and 17, insert the
21 following new paragraphs to read:
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23 "WHEREAS, agricultural water use is a critical element
24 of the state's economy and a continuing healthy economy
25 depends upon rational water policy and water transfers; and

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FIRST SESSION, 1999

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WHEREAS, water rights holders depend on their beneficial use of water for economic survival and, therefore, view the water right as a property right; and".

3. On page 1, line 24, strike "rights" and insert in lieu thereof "for beneficial use".

4. On page 2, line 6, after "trust" insert "or other mechanism".

5. On page 2, line 7, strike "rights" and insert in lieu thereof "beneficial use".

6. On page 2, line 8, after "rights" insert "under terms and conditions that minimize negative social, cultural, economic or other impacts on water rights areas of origin".

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Respectfully submitted,

Joe M Stell, Chairman

Adopted _____

Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

Excused: Townsend, Varela

Absent: None

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March 8, 1999

HOUSE FLOOR AMENDMENT number _____ to HOUSE MEMORIAL 21, as amended

Amendment sponsored by Representative Joe M Stell

1. On page 2, line 6, strike "a banking" and insert in lieu thereof "an exchange".

2. Strike Agriculture and Water Resources Committee Amendments 5 and 6.

3. On page 2, line 7, strike "rights" and insert in lieu thereof "for beneficial use".

4. On page 2, line 8, after "rights" insert "under terms and conditions that minimize negative social, cultural, economic or other impacts on water rights areas of origin by leasing,".

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FIRST SESSION

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Joe M Stell

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

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