

1 SENATE BILL 239

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Pete Campos

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10 AN ACT

11 RELATING TO WATER INFRASTRUCTURE; CREATING THE ACEQUIA BUREAU
12 IN THE INTERSTATE STREAM COMMISSION; PROVIDING POWERS AND
13 DUTIES; MAKING AN APPROPRIATION.

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

16 SECTION 1. A new section of Chapter 72, Article 14 NMSA
17 1978 is enacted to read:

18 "[NEW MATERIAL] ACEQUIA BUREAU--CREATED--POWERS--DUTIES.--

19 A. The "acequia bureau" is created within the
20 interstate stream commission. The director of the interstate
21 stream commission shall appoint a chief of the bureau.

22 B. The acequia bureau shall:

23 (1) administer funding for acequia capital
24 improvement projects;

25 (2) coordinate with state and federal agencies

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1 to develop cost-sharing arrangements;

2 (3) facilitate communication with acequias and
3 community ditches on the programs administered by the
4 interstate stream commission, including infrastructure funding
5 and state water planning; and

6 (4) report annually before October 1 to the
7 appropriate legislative interim committee on acequia
8 infrastructure funding administered by the bureau."

9 SECTION 2. Section 72-14-24.1 NMSA 1978 (being Laws 2019,
10 Chapter 169, Section 1) is amended to read:

11 "72-14-24.1. ACEQUIA AND COMMUNITY DITCH INFRASTRUCTURE
12 FUND--CREATED.--

13 A. The "acequia and community ditch infrastructure
14 fund" is created in the state treasury and shall be
15 administered by the [~~interstate stream commission~~] acequia
16 bureau. The fund consists of money transferred from the New
17 Mexico irrigation works construction fund and interest accruing
18 to the fund. Disbursements from the fund shall be made by
19 warrant of the secretary of finance and administration pursuant
20 to vouchers signed by the [~~director of the interstate stream~~
21 ~~commission~~] chief of the acequia bureau or the [~~director's~~]
22 chief's authorized representative. Any unexpended or
23 unencumbered balance remaining in the fund at the end of any
24 fiscal year shall revert to the New Mexico irrigation works
25 construction fund.

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1 B. Money in the fund is appropriated to the
2 interstate stream commission to provide funding for the
3 planning, engineering design or construction of irrigation
4 works of acequias or community ditches, including dams,
5 reservoirs, diversions, ditches, flumes or other appurtenances,
6 for the purposes of restoration, repair, improvement of
7 irrigation efficiency or protection from floods.

8 C. The [~~interstate stream commission~~] acequia
9 bureau shall:

10 (1) in consultation with the acequia
11 commission and the New Mexico acequia association, develop
12 guidelines and criteria for program eligibility, applications
13 and selection requirements;

14 (2) prioritize the provision of funding based
15 on project readiness;

16 (3) review acequia or community ditch plans
17 and specifications and inspect completed projects; and

18 (4) report biannually to the acequia
19 commission on the progress of projects funded through the fund
20 and the expenditure of money from the fund.

21 D. As used in this section, "fund" means the
22 acequia and community ditch infrastructure fund."

23 SECTION 3. APPROPRIATION.--Three hundred thousand dollars
24 (\$300,000) is appropriated from the general fund to the
25 interstate stream commission for expenditure in fiscal year

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1 2024 and subsequent fiscal years to carry out the purposes of
2 the acequia bureau. Any unexpended or unencumbered balance
3 remaining at the end of a fiscal year shall not revert to the
4 general fund.

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