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HOUSE BILL 187

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Tomás E. Salazar

AN ACT

RELATING TO WATER; TASKING THE UTTON TRANSBOUNDARY RESOURCES CENTER WITH EVALUATING AND MAKING RECOMMENDATIONS TO AMEND NEW MEXICO'S WATER LAWS; MAKING AN APPROPRIATION.

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

**SECTION 1. TEMPORARY PROVISION--WATER LAW STUDY--UTTON TRANSBOUNDARY RESOURCES CENTER--WATER REVIEW PANEL--DUTIES.--**

A. The Utton transboundary resources center at the university of New Mexico shall evaluate and recommend amendments, if any, to New Mexico's water laws with regard to the following questions:

(1) how could New Mexico's existing water laws be amended to:

(a) reform adjudication processes;

(b) protect water supplies for use by

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1 future generations;

2 (c) prepare for a future with changes in  
3 water supplies and water demands caused by higher temperatures  
4 and climate change; and

5 (d) address any other specific problems  
6 identified by the water law review panel;

7 (2) should the state create within the  
8 executive branch a department of water resources with the  
9 authority to oversee both the office of the state engineer as  
10 the technical state water rights and water use regulator and  
11 administrator, and the interstate stream commission as the  
12 water resource planning, compact compliance and water resources  
13 management agency;

14 (3) how should the state organize and  
15 streamline its water-related infrastructure capital assistance  
16 programs and agencies;

17 (4) what actions should be taken for the state  
18 to request and receive federal assistance to address the  
19 state's water resource management problems and issues,  
20 including climate change and aridification; and

21 (5) what types or sources of revenue,  
22 including user fees, could be used to ensure that sufficient  
23 and sustainable funding is available for the measurement,  
24 monitoring, modeling, planning and administration of New  
25 Mexico's water resources.

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1           B. The center shall procure and manage the services  
2 of recognized experts in western states' water law and  
3 governance to jointly evaluate and recommend specific  
4 amendments, if any, to New Mexico's water laws regarding the  
5 questions listed in Subsection A of this section. A firm or  
6 individual expert that represents a political subdivision of  
7 the state with regard to water management or water rights shall  
8 not be selected to participate in the evaluation.

9           C. The center shall appoint members of a "water law  
10 review panel" to advise the center in the evaluation undertaken  
11 pursuant to Subsection A of this section and to review the  
12 center's recommended water law amendments. Members of the  
13 panel may suggest additional topics to the center for  
14 evaluation, and the center shall give full consideration to the  
15 water law review panel's comments on the recommendations.  
16 Members of the panel are entitled to receive per diem and  
17 mileage pursuant to the Per Diem and Mileage Act.

18           D. By September 30, 2020, the center shall transmit  
19 a detailed report of its evaluation and water law amendment  
20 recommendations to the legislative council service for  
21 distribution to the appropriate interim committees. The  
22 appropriate interim committees shall review the center's  
23 findings and consider the need for the specific, recommended  
24 amendments to state water law.

25           E. For the purposes of this section, "center" means

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1 the Utton transboundary resources center at the university of  
2 New Mexico.

3 SECTION 2. APPROPRIATION.--One million five hundred  
4 thousand dollars (\$1,500,000) is appropriated from the general  
5 fund to the board of regents of the university of New Mexico  
6 for expenditure in fiscal years 2020 and 2021 for the Utton  
7 transboundary resources center to undertake an evaluation of  
8 New Mexico water law pursuant to Section 1 of this act. Any  
9 unexpended or unencumbered balance remaining at the end of  
10 fiscal year 2021 shall revert to the general fund.

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