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**HOUSE BILL 535**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Pauline K. Gubbels**

**AN ACT**

**RELATING TO THE ENVIRONMENT; PROVIDING FOR A MUNICIPAL  
GOVERNMENT MEMBER ON THE WATER QUALITY CONTROL COMMISSION.**

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

**Section 1. Section 74-6-3 NMSA 1978 (being Laws 1967,  
Chapter 190, Section 3, as amended) is amended to read:**

**"74-6-3. WATER QUALITY CONTROL COMMISSION CREATED. --**

**A. There is created the "water quality control  
commission" consisting of:**

**(1) the secretary of environment or a member  
of his staff designated by him;**

**(2) the director of the department of game  
and fish or a member of his staff designated by him;**

**(3) the state engineer or a member of his  
staff designated by him;**

underscored material = new  
[bracketed material] = delete

1 (4) the chairman of the oil conservation  
2 commission or a member of his staff designated by him;

3 (5) the director of the state [~~park and~~  
4 ~~recreation~~] parks division of the energy, minerals and natural  
5 resources department or a member of his staff designated by  
6 him;

7 (6) the director of the New Mexico department  
8 of agriculture or a member of his staff designated by him;

9 (7) the chairman of the soil and water  
10 conservation commission or a soil and water conservation  
11 district supervisor designated by him;

12 (8) the director of the bureau of mines and  
13 mineral resources at the New Mexico institute of mining and  
14 technology or a member of his staff designated by him; and

15 (9) three representatives of the public, one  
16 of whom shall be a representative of municipal government, to  
17 be appointed by the governor for terms of four years and who  
18 shall be compensated from the budgeted funds of the department  
19 of environment in accordance with the provisions of the Per  
20 Diem and Mileage Act.

21 B. No member of the commission shall receive, or  
22 shall have received during the previous two years, a  
23 significant portion of his income directly or indirectly from  
24 permit holders or applicants for a permit, not including  
25 governmental holders of permits, and shall, upon the

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1 acceptance of his appointment and prior to the performance of  
2 any of his duties, file a statement of disclosure with the  
3 secretary of state disclosing any amount of money or other  
4 valuable consideration, and its source, the value of which is  
5 in excess of ten percent of his gross personal income in each  
6 of the preceding two years, that he received directly or  
7 indirectly from permit holders or applicants for permits  
8 required under the Water Quality Act.

9 C. The commission shall elect a chairman and other  
10 necessary officers and shall keep a record of its proceedings.

11 D. A majority of the commission constitutes a  
12 quorum for the transaction of business, but no action of the  
13 commission is valid unless concurred in by six or more members  
14 present at a meeting.

15 E. The commission is the state water pollution  
16 control agency for this state for all purposes of the federal  
17 act and the wellhead protection and sole source aquifer  
18 programs of the federal Safe Drinking Water Act and may take  
19 all action necessary and appropriate to secure to this state,  
20 its political subdivisions or interstate agencies the benefits  
21 of that act and those programs.

22 F. The commission is administratively attached, as  
23 defined in the Executive Reorganization Act, to the department  
24 of environment. "