1	SENATE BILL 1170
2	48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007
3	INTRODUCED BY
4	Lynda M. Lovejoy
5	
6	
7	
8	
9	
10	AN ACT
11	RELATING TO THE ENVIRONMENT; ADDING THE SECRETARY OF HEALTH AS
12	A MEMBER OF THE WATER QUALITY CONTROL COMMISSION.
13	
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
15	Section 1. Section 74-6-3 NMSA 1978 (being Laws 1967,
16	Chapter 190, Section 3, as amended) is amended to read:
17	"74-6-3. WATER QUALITY CONTROL COMMISSION CREATED
18	A. There is created the "water quality control
19	commission" consisting of:
20	(1) the secretary of environment or a member
21	of [ <del>his</del> ] <u>the secretary's</u> staff designated by [ <del>him</del> ] <u>the</u>
22	<u>secretary;</u>
23	(2) the secretary of health or a member of the
24	secretary's staff designated by the secretary;
25	$\left[\frac{(2)}{(3)}\right]$ the director of the department of
	.168036.1

<u>underscored material = new</u> [<del>bracketed material</del>] = delete

1	game and fish or a member of [ <del>his</del> ] <u>the director's</u> staff
2	designated by [him] the director;
3	[ <del>(3)</del> ] <u>(4)</u> the state engineer or a member of
4	[ <del>his</del> ] <u>the state engineer's</u> staff designated by [ <del>him</del> ] <u>the state</u>
5	<pre>engineer;</pre>
6	[ <del>(4)</del> ] <u>(5)</u> the [ <del>chairman</del> ] <u>chair</u> of the oil
7	conservation commission or a member of [ <del>his</del> ] <u>the chair's</u> staff
8	designated by [ <del>him</del> ] <u>the chair</u> ;
9	[ <del>(5)</del> ] <u>(6)</u> the director of the state parks
10	division of the energy, minerals and natural resources
11	department or a member of [his] the director's staff designated
12	by [ <del>him</del> ] <u>the director</u> ;
13	[ <del>(6)</del> ] <u>(7)</u> the director of the New Mexico
14	department of agriculture or a member of [ <del>his</del> ] <u>the director's</u>
15	staff designated by [him] the director;
16	[ <del>(7)</del> ] <u>(8)</u> the [ <del>chairman</del> ] <u>chair</u> of the soil and
17	water conservation commission or a soil and water conservation
18	district supervisor designated by [him] the chair;
19	[ <del>(8)</del> ] <u>(9)</u> the director of the bureau of
20	geology and mineral resources at the New Mexico institute of
21	mining and technology or a member of [his] the director's staff
22	designated by [him] the director;
23	[ <del>(9)</del> ] <u>(10)</u> a municipal or county government
24	representative; and
25	[(10)] (11) three representatives of the
	.168036.1 - 2 -

underscored material = new
[bracketed material] = delete

l

public to be appointed by the governor for terms of four years and who shall be compensated from the budgeted funds of the department of environment in accordance with the provisions of the Per Diem and Mileage Act. At least one member appointed by the governor shall be a member of a New Mexico Indian tribe or pueblo.

7 A member of the commission shall not receive, or Β. 8 shall not have received during the previous two years, a 9 significant portion of [his] the member's income directly or 10 indirectly from permit holders or applicants for a permit. A 11 member of the commission shall, upon the acceptance of [his] 12 the member's appointment and prior to the performance of any of 13 [his] the member's duties, file a statement of disclosure with 14 the secretary of state disclosing any amount of money or other 15 valuable consideration, and its source, the value of which is 16 in excess of ten percent of [his] the member's gross personal 17 income in each of the preceding two years, that [he] the member 18 received directly or indirectly from permit holders or 19 applicants for permits required under the Water Quality Act. Α 20 member of the commission shall not participate in the 21 consideration of an appeal if the subject of the appeal is an 22 application filed or a permit held by an entity that either 23 employs the commission member or from which the commission 24 member received more than ten percent of [his] the member's 25 gross personal income in either of the preceding two years. .168036.1

- 3 -

underscored material = new
[bracketed material] = delete

1

2

3

4

5

6

C. The commission shall elect a [chairman] chair and other necessary officers and shall keep a record of its proceedings.

A majority of the commission constitutes a D. quorum for the transaction of business, but no action of the commission is valid unless concurred in by six or more members 7 present at a meeting.

8 The commission is the state water pollution Ε. 9 control agency for this state for all purposes of the federal 10 act and the wellhead protection and sole source aquifer 11 programs of the federal Safe Drinking Water Act and may take 12 all action necessary and appropriate to secure to this state, 13 its political subdivisions or interstate agencies the benefits 14 of that act and those programs.

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

- 4 -

bracketed material] = delete underscored material = new

1

2

3

4

5

6

15

16

17

18

19

20

21

22

23

24

25

.168036.1