

SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR  
SENATE BILL 467

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

AN ACT

RELATING TO WATER; CHANGING THE MEMBERSHIP OF THE INTERSTATE  
STREAM COMMISSION; PROVIDING OTHER TERMS OF HOLDING OFFICE ON  
THE COMMISSION.

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

**SECTION 1.** Section 72-14-1 NMSA 1978 (being Laws 1935,  
Chapter 25, Section 1, as amended) is repealed and a new  
Section 72-14-1 NMSA 1978 is enacted to read:

"72-14-1. [NEW MATERIAL] INTERSTATE STREAM COMMISSION--  
CREATION--MEMBERSHIP--ORGANIZATION.--

A. The "interstate stream commission" is created,  
consisting of the following members:

(1) the state engineer;

(2) four members appointed by the governor

with the advice and consent of the senate as follows, with the

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underscored material = new  
[bracketed material] = delete

1 provision that not more than two members shall be from the same  
2 political party:

3 (a) one representative of an irrigation  
4 or conservancy district;

5 (b) one representative of a New Mexico  
6 acequia or community ditch;

7 (c) one representative of a New Mexico  
8 drinking water utility that provides at least five hundred  
9 acre-feet of water annually for domestic use; and

10 (d) one member of a New Mexico Indian  
11 nation, tribe or pueblo; and

12 (3) four members appointed by the New Mexico  
13 legislative council with the advice and consent of the senate  
14 as follows, with the provision that not more than two members  
15 shall be from the same political party:

16 (a) one representative of an irrigation  
17 or conservancy district;

18 (b) one member of the New Mexico water  
19 resources research institute or civil or environmental  
20 engineering faculty of New Mexico state university or the  
21 university of New Mexico;

22 (c) one professional hydrogeologist with  
23 expertise in New Mexico ground water resources or a registered  
24 engineer with a New Mexico consulting engineering practice in  
25 water resources or water utility engineering; and

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1 (d) one representative of a  
2 nongovernmental conservation advocacy organization.

3 B. No two members shall be appointed from the same  
4 irrigation or conservancy district and no more than three  
5 members shall be appointed from the same geographic region.  
6 The appointed members shall be qualified by no less than ten  
7 years' experience with New Mexico water resources.

8 C. Appointed members of the commission shall serve  
9 for staggered terms of five years; provided that of the initial  
10 members, one member shall serve for two years, one member shall  
11 serve for three years, two members shall serve for four years  
12 and one member shall serve for five years. Initial terms shall  
13 be decided by drawing lots. Members shall serve until their  
14 successors are appointed and qualified.

15 D. Members may be removed from the commission by  
16 the appointing authority for failure to attend three  
17 consecutive meetings or for other cause in the same manner as  
18 provided for removal of members of boards of regents under  
19 Article 12, Section 13 of the constitution of New Mexico. A  
20 vacancy occurring other than by expiration of the term shall be  
21 filled in the same manner as the original appointment for the  
22 unexpired term.

23 E. The commission shall elect a chair and vice  
24 chair and the state engineer shall be the secretary. A  
25 commission member shall not hold any office or employment in a

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1 political party.

2 F. All actions of the commission shall be by  
3 majority vote and a majority of members constitutes a quorum  
4 for the transaction of business. Members who are not  
5 compensated by public money are entitled to receive per diem  
6 and mileage expenses as provided in the Per Diem and Mileage  
7 Act. Members who are compensated by public money may receive  
8 per diem and mileage from their public agencies or  
9 institutions. Members of the commission and officers and  
10 employees of the commission shall be governed by the provisions  
11 of the Governmental Conduct Act."

12 SECTION 2. TEMPORARY PROVISION--INTERSTATE STREAM  
13 COMMISSION MEMBERSHIP PER THIS ACT.--The new membership of the  
14 interstate stream commission shall be appointed for staggered  
15 terms pursuant to Subsection C of Section 1 of this act that  
16 begin July 1, 2015. Current members who meet the requirements  
17 of the positions specified in Section 1 of this act may be  
18 reappointed for new terms. Current members shall continue in  
19 their positions until their replacements have been qualified.