

FIFTY-SECOND LEGISLATURE
FIRST SESSION

March 16, 2015

HOUSE FLOOR AMENDMENT number ___1___ to SENATE BILL 276

Amendment sponsored by Representative Candy Spence Ezzell

1. On page 1, line 13, before the period, insert ";
AUTHORIZING THE WATER QUALITY CONTROL COMMISSION TO SET THE TIME AND
PLACE OF CERTAIN HEARINGS".

2. On page 2, between lines 9 and 10, insert the following new
section:

"SECTION 2. Section 74-6-6 NMSA 1978 (being Laws 1967, Chapter
190, Section 5, as amended) is amended to read:

"74-6-6. ADOPTION OF REGULATIONS AND STANDARDS--NOTICE AND
HEARING.--

A. No regulation or water quality standard or amendment or
repeal thereof shall be adopted until after a public hearing.

B. Any person may petition in writing to have the
commission adopt, amend or repeal a regulation or water quality
standard. The commission shall determine whether to hold a hearing
within ninety days of submission of the petition. The denial of
such a petition shall not be subject to judicial review.

C. The commission shall set the time and place of
hearings on regulations or water quality standards [~~of statewide
application shall be held in Santa Fe. Hearings on regulations or
standards that are not of statewide application may be held~~] within
[~~the~~] an area that is substantially affected by the regulation or
standard. At least thirty days prior to the hearing date, notice of
the hearing shall be published in the New Mexico register and a
newspaper of general circulation in the area affected and mailed to

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all persons who have made a written request to the commission for advance notice of hearings and who have provided the commission with a mailing address. The notice shall state the subject, the time and the place of the hearing and the manner in which interested persons may present their views. The notice shall also state where interested persons may secure copies of any proposed regulation or water quality standard.

D. At the hearing, the commission shall allow all interested persons reasonable opportunity to submit data, views or arguments orally or in writing and to examine witnesses testifying at the hearing. The commission may designate a hearing officer to take evidence in the hearing. Any person heard or represented at the hearing shall be given written notice of the action of the commission.

E. No regulation or water quality standard or amendment or repeal thereof adopted by the commission shall become effective until thirty days after its filing in accordance with the provisions of the State Rules Act."".

Candy Spence Ezzell

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____