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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Chapter 25, Section 1, as amended) is repealed and a new  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. 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, with the provision  
that not more than two members shall be from the same  
political party, and at least one of whom shall be a member  
of a New Mexico Indian nation, tribe or pueblo, as follows:

(a) two representatives of irrigation  
or conservancy districts;

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

(c) one representative of a New Mexico  
drinking water utility that provides at least five hundred

1 acre-feet of water annually for domestic use; and

2 (3) four members appointed by the New Mexico  
3 legislative council, with the advice and consent of the  
4 senate, with the provision that not more than two members  
5 shall be from the same political party, and at least one of  
6 whom shall be a member of a New Mexico Indian nation, tribe  
7 or pueblo, as follows:

8 (a) two representatives of irrigation  
9 or conservancy districts;

10 (b) one member of the New Mexico water  
11 resources research institute or civil or environmental  
12 engineering faculty of New Mexico state university or the  
13 university of New Mexico; and

14 (c) one professional hydrogeologist  
15 with expertise in New Mexico ground water resources who is a  
16 faculty member of the New Mexico institute of mining and  
17 technology or a professional engineer with a New Mexico  
18 consulting engineering practice in water resources or water  
19 utility engineering.

20 B. No two members shall be appointed from the same  
21 irrigation or conservancy district or the same New Mexico  
22 Indian nation, tribe or pueblo, no more than four members  
23 shall be appointed from the same congressional district and  
24 the appointed members shall reside in at least three  
25 different office of the state engineer water rights

1 districts. The appointed members shall be qualified by no  
2 less than ten years' experience with New Mexico water  
3 resources. A member who changes political party affiliation  
4 shall be deemed to have resigned, and a person shall not be  
5 qualified for appointment if the person has changed party  
6 affiliation in the previous two years.

7 C. Appointed members of the commission shall serve  
8 for staggered terms of four years; provided that of the  
9 initial members, two members shall serve for one year, two  
10 members shall serve for two years, two members shall serve  
11 for three years and two members shall serve for four years.  
12 Initial terms shall be decided by drawing lots.

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

21 E. The commission shall elect a chair and vice  
22 chair as provided by rule, and the state engineer shall be  
23 the secretary. A commission member shall not hold any  
24 employment in a political party.

25 F. All actions of the commission shall be by a

1 two-thirds' majority vote, and a majority of members  
2 constitutes a quorum for the transaction of business."

3 SECTION 2. TEMPORARY PROVISION--INITIAL APPOINTMENTS TO  
4 INTERSTATE STREAM COMMISSION.--Members of the interstate  
5 stream commission serving as of July 1, 2019 shall continue  
6 in their positions until their replacements have been  
7 appointed. Current members who meet the qualifications of  
8 the positions specified in Section 72-14-1 NMSA 1978 may  
9 be appointed for new terms. A member appointed before  
10 January 1, 2020 pursuant to this act shall take office  
11 immediately, serve the remainder of the year and serve for a  
12 term beginning January 1, 2020 and ending December 31 in the  
13 year for that position as determined by lot in accordance  
14 with Subsection C of Section 72-14-1 NMSA 1978.

15 SECTION 3. EFFECTIVE DATE.--The effective date of the  
16 provisions of this act is July 1, 2019. \_\_\_\_\_

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